

FEDERAL REGISTER

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

VOLUME 9 NUMBER 152

Washington, Tuesday, August 1, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 62, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

FIGS

War Food Order No. 62, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 62, as issued by the Acting War Food Administrator on July 3, 1943, 8 F.R. 9177), is amended to read as follows:

§ 1405.12 *Restrictions relating to the use of figs—(a) Definitions.* (1) "Figs" means figs in the fresh, frozen, dried, or partially dried form, customarily marketed as the Calimyrna, Adriatic, Kadota, and Black Mission varieties produced in Butte, Colusa, Contra Costa, Fresno, Glenn, Kern, Kings, Madera, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter, Tehama, Tulare, Yuba, and Yolo Counties in the State of California.

(2) "Person" means any individual, partnership, corporation, or association, business trust or any organized group of persons, whether incorporated or not.

(3) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions.* (1) No person shall, unless specifically authorized by the Director, sell, deliver, purchase, accept delivery of, or use figs for conversion into brandy, alcohol, any concentrate, syrup, scent, flavoring, animal feed, or any other byproduct.

(2) No person shall sell or deliver figs with knowledge or reason to believe that such figs or any portion thereof thus sold or delivered are to be used in violation of this order.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of

figs of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in figs.

(e) *Petitions for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 62, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27.

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(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 62, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 29, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1912.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of July 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-11360; Filed, July 29, 1944; 1:23 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3369]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

VACU-MATIC CARBURETOR CO.

§ 3.6 (b) *Advertising falsely or misleadingly—Qualities or properties of product or services: § 3.66 (h) Misbranding or mislabeling—Qualities or properties.* In connection with offer, etc., in commerce, of respondent's "Vacu-matic" mechanical device, or any other similar

device, representing, directly or by implication, (1) that the use of respondent's device on an automobile engine will result in quicker starting, faster acceleration or pick-up, increased power, or a smoother-running engine; (2) that the use of respondent's device on an automobile engine will result in any reduction in gasoline consumption or in any increase in mileage per unit of gasoline, unless such representation be expressly limited to those cases in which the fuel mixture, due to improper adjustment of the carburetor, is excessively rich and a small amount of additional air may serve to lean such mixture; or (3) that respondent's device performs any useful service in the carburetion of gasoline in an automobile engine in excess of such effect as it may have in leaning the fuel mixture in those cases above referred to; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 43b) [Cease and desist order, Vacu-Matic Carburetor Company, Docket 3369, June 29, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of June, A. D. 1944.

In the Matter of Vacu-matic Carburetor Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, the respondent's answer thereto, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, original and supplemental reports of the trial examiners upon the evidence and the exceptions to such reports, briefs of the attorney for the Commission and the attorneys for the respondent, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Vacu-Matic Carburetor Company, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's mechanical device designated "Vacu-matic," or any other device of substantially similar construction or possessing substantially similar characteristics, whether sold under the same name or under any other name, do forthwith cease and desist from representing, directly or by implication:

1. That the use of respondent's device on an automobile engine will result in quicker starting, faster acceleration or pick-up, increased power, or a smoother-running engine.

2. That the use of respondent's device on an automobile engine will result in any reduction in gasoline consumption or in any increase in mileage per unit of gasoline, unless such representation be expressly limited to those cases in which

the fuel mixture, due to improper adjustment of the carburetor, is excessively rich and a small amount of additional air may serve to lean such mixture.

3. That respondent's device performs any useful service in the carburetion of gasoline in an automobile engine in excess of such effect as it may have in leaning the fuel mixture in those cases referred to in paragraph 2.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-11316; Filed, July 29, 1944;
10:19 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-8-1]

PART 702—PRIVATE WAR HOUSING

COMPLIANCE WITH STANDARDS OF WAR WORKER ELIGIBILITY FOR PRIVATE WAR HOUSING

Form NHA 60-9 is no longer used as provided in § 702.34.

Section 702.34 of NHA General Order 60-8 contains a request of owners of war housing begun prior to February 10, 1943, to provide the War Housing Center or the NHA Regional Office with certain information on Form NHA 60-9 as to the occupancy of the housing. The filing of such form is wholly voluntary. Following the submission of the form by the owner, it is to be transmitted to the local FHA office.

Experience has shown that continuance of this procedure and the use of Form NHA 60-9 are no longer necessary. Consequently, as of June 30, 1944, the use of Form NHA 60-9 is discontinued. Regional Offices and War Housing Centers shall not distribute such form to owners of war housing begun prior to February 10, 1943, and shall no longer require adherence to the provisions of § 702.34 of General Order 60-8.

(55 Stat. 838; 50 U.S.C. App., Supp., 601, E.O. 9070; 3 CFR)

This regulation shall be effective July 19, 1944.

JOHN B. BLANDFORD, JR.,
Administrator.

[F. R. Doc. 44-11302; Filed, July 29, 1944;
10:03 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Rev. VII, Cumulative Supp. 5]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 5 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F.R. 3285), is hereby promulgated.¹

By direction of the President.

[SEAL]

CORDELL HULL,
Secretary of State.

WAYNE C. TAYLOR,
Acting Secretary of Commerce.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

LEO T. CROWLEY,
Administrator, Foreign Economic Administration.

FRANCIS BIDDLE,
Attorney General.

JOHN C. MCCLINTOCK,
Acting Coordinator of Inter-American Affairs.

JULY 28, 1944.

[F. R. Doc. 44-11361; Filed, July 29, 1944;
2:04 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 248, 2d Ed.]

PART 605—GENERAL ADMINISTRATION

CONFIDENTIAL INFORMATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 605.32 to read as follows:

§ 605.32 *Information not confidential as to certain persons.* No information in a registrant's file shall be confidential as to the persons designated in this section, and any information may be disclosed or

¹ Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

furnished to or examined by such persons, namely:

(a) The registrant, or any person having written authority from the registrant.

(b) All personnel of the Selective Service System while engaged in the administration of the Selective Training and Service Act of 1940, as amended.

(c) United States Attorneys and their duly authorized representatives, including agents of the Federal Bureau of Investigation.

(d) Any other agency, official or employee, or class or group of officials or employees, of the United States or any State or subdivision thereof, but only when and to the extent specifically authorized in writing by the State Director of Selective Service or the Director of Selective Service.

2. Amend § 605.33 to read as follows:

§ 605.33 *Waiver of confidential nature of information.* The making or filing by or on behalf of a registrant of a claim or action for damages against the Government or any person, based on acts in the performance of which the record of a registrant or any part thereof was compiled, or the institution of any action against the Government or any representative thereof by or on behalf of a registrant involving his classification, selection or induction, shall be a waiver of the confidential nature of all selective service records of such registrant, and, in addition, all such records shall be produced and published in response to the subpoena or summons of the tribunal in which such claim or action is pending.

3. Amend § 605.40 by deleting paragraphs (b) and (c) thereof.

4. Amend the regulations by adding a new section to be known as § 605.40-1 to read as follows:

§ 605.40-1 *Searching or handling records.* Except as specifically provided in these regulations or by written authority of the Director of Selective Service, no person shall be entitled to search or handle any record.

5. Amend § 605.41 to read as follows:

§ 605.41 *Furnishing lists of registrants.* Lists of registrants may be prepared and posted or furnished only as provided in these regulations or in accordance with written instructions of the Director of Selective Service.

6. Amend § 605.42 to read as follows:

§ 605.42 *Furnishing information relative to quotas and calls prohibited.* Information concerning quotas or calls shall not be examined by or disclosed or furnished to anyone except when required in the administration of the Selective Training and Service Act of 1940, as amended, or in accordance with writ-

ten instructions of the Director of Selective Service.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 27, 1944.

[F. R. Doc. 44-11362; Filed, July 29, 1944;
2:57 a. m.]

[Amdt. 249, 2d Ed.]

PART 608—EXPENDITURES OTHER THAN
FOR PERSONAL SERVICES

PROPERTY, EQUIPMENT, SUPPLIES, AND
SERVICES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 608.1 to read as follows:

§ 608.1 *Procurement.* (a) The procurement of necessary property, equipment, supplies, and services for the Selective Service System shall be accomplished only by duly authorized representatives designated by or pursuant to these regulations.

(b) Except when otherwise provided by these regulations, the function of procurement for the various boards and for State Headquarters for Selective Service, including the obtaining of necessary office space, shall be exercised only by the State procurement officer.

(c) No contract shall be negotiated or entered into for the procurement of supplies or services from any firm or company with which any person authorizing or making the purchase is in any way connected as a member, officer, agent, or employee.

(d) Except when individual circumstances justify other action, the procurement of property, equipment, and supplies shall be accomplished through the Treasury Department, Procurement Division.

(e) Purchase of supplies and equipment procured, mined, or manufactured outside the United States is prohibited by law.

(f) The selective service law permits the Selective Service System to obtain by loan or gift such equipment and supplies as may be needed. Such loans or gifts should be encouraged, but persons making such loans should be reminded that the Government is not responsible

for the care or safekeeping of such articles.

2. Amend § 608.2 to read as follows:

§ 608.2 *Requisitions.* A Requisition for Supplies (Form 259) shall be used by properly authorized representatives of the Selective Service System in requesting a procurement officer to procure necessary property, equipment, supplies, and services.

3. Amend § 608.3 to read as follows:

§ 608.3 *Laboratory examinations and tests.* The State Director of Selective Service or a member of a medical advisory board may authorize laboratory examinations and tests within limitations and in accordance with procedures established by the Director of Selective Service.

4. Amend § 608.4 to read as follows:

§ 608.4 *Purchase Order.* A Purchase Order (Form 258) shall be used by procurement officers in procuring necessary property, equipment, supplies, and services unless otherwise authorized by the Director of Selective Service.

5. Amend § 608.5 to read as follows:

§ 608.5 *Bills and invoices.* Vendors shall be requested to submit bills and invoices in the required number of copies but only one original shall be requested and that original in all cases shall bear the following certificate, duly executed by the vendor:

I certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to American production and labor standards and all conditions of purchase applicable to the transactions have been complied with; and that State or local sales taxes are not included in the amount billed.

6. Amend § 608.6 to read as follows:

§ 608.6 *Receiving Report.* A Receiving Report (Form 264) shall be executed and transmitted promptly by accountable and responsible officers of the Selective Service System in acknowledging receipt of property, equipment, supplies, and services unless otherwise authorized by the Director of Selective Service.

7. Amend paragraph (a) of § 608.43 to read as follows:

§ 608.43 *Special provisions concerning travel and subsistence expenses.* (a) The travel of a person serving without compensation in the administration of the selective service law shall be specifically authorized, and such person so authorized may be reimbursed in accordance with applicable law and regulations governing travel of uncompensated personnel at Government expense for transportation and traveling expenses incurred while traveling on official business, including travel from home to the

office of the board to which such person is assigned and return.

8. Amend § 608.44 to read as follows:

§ 608.44 *Government Requests for Transportation (Standard Form No. 1030): Use and preparation.* Government Requests for Transportation (Standard Form No. 1030) may be issued for both land and water transportation, including ocean travel, and for sleeping-car service. Requests shall be issued only by a local board or a duly authorized representative of the Director of Selective Service or of the State Director of Selective Service:

(a) When necessary in obtaining transportation of selected registrants from local boards for purposes of being examined or inducted by the armed forces.

(b) When it is necessary to transport a registrant for the purpose of obtaining specially authorized medical consultation and examination.

(c) Whenever practicable, when travel is performed by officers or employees incident to the provisions of the selective service law.

(d) When otherwise authorized by the Director of Selective Service.

9. Amend § 608.45 to read as follows:

§ 608.45 *Government Request for Meals or Lodgings for Civilian Registrants (Form 256).* Government Request for Meals or Lodgings for Civilian Registrants (Form 256) shall be issued only by a local board or a duly authorized representative of the Director of Selective Service or of the State Director of Selective Service to provide necessary meals or lodgings as follows:

(a) For registrants ordered to report to a station of the armed forces.

(b) For a registrant ordered to report for medical consultation and examination.

(c) When otherwise authorized by the Director of Selective Service.

(d) The value of such lodgings shall not exceed \$1.50 per day per individual.

(e) The value of such meals shall not exceed \$1.00 per meal per individual.

10. Amend the regulations by deleting § 608.46 in its entirety.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 28, 1944.

[F. R. Doc. 44-11363; Filed, July 29, 1944;
2:57 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1, as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1120—NAPHTHALENE

[Conservation Order M-105, Revocation]

NAPHTHALENE

Section 1120.1 *Conservation Order M-105* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Crude and refined naphthalene is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 38, issued simultaneously with this revocation.

Prior to September 1, 1944, crude and refined naphthalene shall be delivered, accepted and used on the basis of applications and authorizations hitherto required by Order M-105 (revoked).

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11321; Filed, July 29, 1944;
11:30 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, AND MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule VII]

HACK SAW BLADES

§ 3114.8 *Schedule VII of Limitation Order L-216*—(a) *Definitions.* For the purpose of this schedule:

(1) "Hack saw blade" means any steel saw blade more than six inches in length, having a pinhole or pinholes near each end, the cutting edge or edges of which consist of teeth with set, and which is hardened or hardened and tempered by any process at the cutting edge or edges or throughout the entire blade.

(2) "Producer" means any person who manufactures hack saw blades.

(b) *Restrictions on production.* On and after July 29, 1944, no producer shall manufacture, sell, or deliver any hack saw blades unless such blades when completed are of the widths, thicknesses and number of teeth described in Appendix A to this schedule and conform with all other provisions of this schedule and the appendix.

(c) *Exemptions.* Notwithstanding any other provision of this schedule, its restrictions shall not apply to the manufacture, sale or delivery of the following types of hack saw blades:

(1) Any hack saw blades the production of which was commenced prior to July 29, 1944 and is completed prior to September 29, 1944.

(2) Any hack saw blades which are manufactured for experimental purposes. Such blades must be stamped or otherwise permanently marked "test" or "experimental." They may not be sold by the producer but may be delivered by him in reasonable quantities to users for test purposes only to be returned to the producer with a report of the results.

(3) Any partially fabricated hack saw blades which are sold or delivered by one producer to another producer. Such saw blades when completed and resold shall, however, conform with all of the provisions of this schedule and the appendix.

(d) *Necessity for filing specifications.* Each producer shall file with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VII, a letter in triplicate, indicating the type of tooth set, width of set, and tooth spacing which he has selected for each of the blades which he intends to manufacture under this schedule. This letter should be filed by August 29, 1944. Thereafter no producer may change the tooth set, width of set or tooth spacing which he has selected without the specific permission of the War Production Board. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Appeals by users.* Where any provision of this schedule prohibits the production of any hack saw blade and a user of such blade believes that this imposes an unreasonable hardship upon him, the user may apply for permission to have production of such blade continued. The user should file a letter in triplicate with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VII, giving a detailed description of the special hack saw blade which he requires, the quantity he needs, and the reason why he is unable to use a standard blade.

(f) *Termination of simplification letter of August 18, 1941.* This schedule supersedes the restrictions imposed by the letter, dated August 18, 1941, signed by the Chief of the Tools Section, Office of Production Management. Authorizations for the manufacture of special hack saw blades which were issued under that letter to designated blade users shall, however, remain in effect, subject to the terms and conditions of such special authorizations, provided that delivery in all such cases is made directly to the person for whom the manufacture of the blades was authorized.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—SCHEDULE VII TO LIMITATION ORDER L-216

(a) *Definitions.* For the purpose of this appendix:

(1) "Carbon type" means a hack saw blade all of which is made of steel known in the industry as "ordinary steel," "straight carbon steel," or "plain carbon steel," being that type of steel which owes its properties chiefly to the percentage of carbon and does not contain substantial amounts of other alloying elements.

(2) "Standard type" means a hack saw blade all of which is made of steel known in the industry as "standard" or "tungsten alloy," being that type of steel containing approximately but not more than 1¼ percent tungsten or approximately but not more than ¾ percent molybdenum and substantially no other alloying element.

(3) "Molybdenum type" means a hack saw blade all or the tooth section of which is made of alloy steel containing not less than 0.60 percent carbon and more than 3.0 percent molybdenum; or alloy steel containing not less than 0.60 percent carbon, 6.0 percent or less tungsten, and more than 3.0 percent molybdenum. Other alloying elements may be present.

(4) "18-4-1 type" means a hack saw blade all or the tooth section of which is made of alloy steel containing not less than 0.55 percent carbon and more than 12.0 percent tungsten. Other alloying elements may be present.

(5) "Welded and composite blade" means a hack saw blade made of two or more pieces of steel joined together.

(6) "Broach blade" means a hack saw blade no two teeth of which are alike, so that the pitch, i. e., the number of teeth per inch, decreases from the first to the last tooth.

(b) *General provisions*—(1) *Tooth set.* All hack saw blades having 24 or 32 teeth per inch shall have wavy set only, and all other blades shall have straight or regular set. Set for each tooth spacing or pitch shall be according to a single standard of the producer.

(2) *Width of set.* The width of set for each type, size and tooth number of hack saw blade shall be according to a single standard of the producer.

(3) *Starting teeth.* All hand frame sizes of hack saw blades permitted by this schedule may be made with starting teeth of greater pitch (i. e., number of teeth per inch) or closer spacing on the forward 2½ inches of the blade than is specified in the tables. Producers may also manufacture these sizes without starting teeth.

(4) *Edges.* Types and sizes of hack saw blades designated by the letter S in the column headed "Nominal length" shall be made only with single edge (i. e., with teeth on one edge only); blades designated by the letter D, only with double edge (i. e., with teeth on both edges); and those designated by the letters DS may be made with double edge and with single edge.

(5) *Width before milling of double-edge blades.* The width before milling of the blanks for double-edge hack saw blades may exceed that specified in the tables by not more than ¼ inch, except that the width before milling of the blank for the standard type shall be as specified.

(6) *Thickness tolerance.* The actual thickness shall be the nominal thickness plus or minus 0.003 inch, except that the actual thickness of carbon type and standard type blades shall be the nominal thickness plus 0.001 inch or minus 0.003 inch.

TABLE 1—REGULAR HACK SAW BLADES—Continued

HAND FRAME SIZES

(c) 18-4-1 type²

Nominal dimensions			Actual dimensions			
Length (inches)	Width	Thickness	Number of teeth per inch	Width before milling	Length over all	Pinhole diameter
Inch	Inch	Inch		Inch	Inches	Inches
S10.....	1 1/4	.025	18, 24, 32.....	0.500	10 3/4	9 1/4
S12.....	1 1/2	.025	14, 18, 24, 32.....	.510	12 3/4	11 1/4

POWER SIZES

Length (inches)	Width	Thickness	Number of teeth per inch	Width before milling	Length over all	Pinhole diameter
Inch	Inch	Inch		Inch	Inches	Inches
S12.....	1 1/4	.032	14, 18.....	0.625	12 3/4	11 1/4
S12.....	1 1/4	.040	14.....	1.000	12 3/4	11 1/4
S14.....	1 1/4	.040	10, 14.....	1.000	14 3/4	13 1/4
S14.....	1 1/4	.040	10.....	1.000	14 3/4	13 1/4
S14.....	1 1/4	.060	4, 6, 10.....	1.250	14 3/4	13 1/4
S14.....	1 1/4	.072	4, 6.....	1.600	14 3/4	13 1/4
S17.....	1 1/2	.040	10.....	1.000	17 3/4	16 1/4
S17.....	1 1/2	.040	10.....	1.250	17 3/4	16 1/4
S17.....	1 1/2	.060	4, 6, 10.....	1.600	17 3/4	16 1/4
S18.....	1 1/2	.060	4, 6, 10.....	1.250	18 3/4	17 1/4
S18.....	1 1/2	.060	4, 6, 10.....	1.250	18 3/4	17 1/4
S18.....	1 1/2	.072	4, 6.....	1.600	18 3/4	17 1/4
S21.....	2	.072	4, 6.....	2.000	21 3/4	21 1/4
S21.....	2	.100	4, 6.....	2.000	21 3/4	21 1/4
S24.....	2 1/4	.072	4, 6.....	2.000	24 3/4	24 1/4
S24.....	2 1/4	.100	4.....	2.000	24 3/4	24 1/4
S24.....	2 1/4	.100	4.....	2.000	24 3/4	24 1/4
S30.....	2 3/4	.100	4.....	2.600	32	26 1/4

² Welded and composite blades may be made in these sizes with the cutting edge of 18-4-1 type. Such blades shall be made single edge only. In lieu of the widths before milling specified, welded and composite blades may have actual over-all widths after milling as follows:

Nominal width (inches):

9/16.....	Actual width after milling (inches)
1.....	1 1/4
1 1/4.....	1 3/4
1 1/2.....	1 3/4
2.....	2 1/4

TABLE 2—COARSE TOOTH HACK SAW BLADES

(c) Molybdenum type and 18-4-1 type²

Nominal dimensions			Actual dimensions			
Length (inches)	Width	Thickness	Number of teeth per inch	Width before milling	Length over all	Pinhole diameter
Inch	Inch	Inch		Inch	Inches	Inches
S14.....	1 1/4	.072	14.....	1.000	14 3/4	13 1/4
S18.....	1 1/2	.072	18.....	1.000	18 3/4	17 1/4
S21.....	2	.100	21.....	2.000	21 3/4	21 1/4
S24.....	2 1/4	.100	24.....	2.000	24 3/4	24 1/4
S30.....	2 3/4	.125	30.....	4 1/2	32	26 1/4

² All sizes may be made with 3/8 inch tooth spacing (point to point) or with 2 1/4 teeth per inch, but no producer shall make any size with both spacings. Welded and composite blades may be made in these sizes with the cutting edge of molybdenum type or 18-4-1 type.

TABLE 1—REGULAR HACK SAW BLADES

HAND FRAME SIZES

(a) Carbon type.

Nominal dimensions			Actual dimensions			
Length (inches)	Width	Thickness	Number of teeth per inch	Width before milling	Length over all	Pinhole diameter
Inch	Inch	Inch		Inch	Inches	Inches
S10.....	1 1/4	.025	18, 24, 32.....	0.500	10 3/4	9 1/4
S12.....	1 1/2	.025	14, 18, 24, 32.....	.510	12 3/4	11 1/4

HAND FRAME SIZES

Nominal dimensions			Actual dimensions			
Length (inches)	Width	Thickness	Number of teeth per inch	Width before milling	Length over all	Pinhole diameter
Inch	Inch	Inch		Inch	Inches	Inches
DS10.....	1 1/4	.032	18, 24, 32.....	0.500	10 3/4	9 1/4
DS12.....	1 1/2	.032	14, 18, 24, 32.....	.510	12 3/4	11 1/4
DS12.....	1 1/2	.032	18, 24.....	1.000	12 3/4	11 1/4

(c) Molybdenum type.²

Nominal dimensions			Actual dimensions			
Length (inches)	Width	Thickness	Number of teeth per inch	Width before milling	Length over all	Pinhole diameter
Inch	Inches	Inch		Inch	Inches	Inches
S12.....	1 1/4	.032	14, 18.....	0.625	12 3/4	11 1/4
S12.....	1 1/4	.040	14.....	1.000	12 3/4	11 1/4
DS14.....	1 1/4	.040	10, 14.....	1.000	14 3/4	13 1/4
DS14.....	1 1/4	.060	4, 6, 10.....	1.250	14 3/4	13 1/4
DS14.....	1 1/4	.072	4, 6.....	1.600	14 3/4	13 1/4
S17.....	1 1/2	.040	10.....	1.000	17 3/4	16 1/4
S17.....	1 1/2	.040	10.....	1.250	17 3/4	16 1/4
S18.....	1 1/2	.060	4, 6, 10.....	1.600	17 3/4	16 1/4
S18.....	1 1/2	.060	4, 6, 10.....	1.250	18 3/4	17 1/4
S18.....	1 1/2	.072	4, 6.....	2.000	18 3/4	17 1/4
DS21.....	2	.072	4, 6.....	2.000	21 3/4	21 1/4
DS21.....	2	.100	4.....	2.000	21 3/4	21 1/4
DS24.....	2 1/4	.072	4.....	2.000	24 3/4	24 1/4
DS24.....	2 1/4	.100	4.....	2.000	24 3/4	24 1/4
DS30.....	2 3/4	.100	4.....	2.600	32	26 1/4

POWER SIZES

Length (inches)	Width	Thickness	Number of teeth per inch	Width before milling	Length over all	Pinhole diameter
Inch	Inches	Inch		Inch	Inches	Inches
S12.....	1 1/4	.032	14, 18.....	0.625	12 3/4	11 1/4
DS12.....	1 1/4	.040	14.....	1.000	12 3/4	11 1/4
DS14.....	1 1/4	.040	10, 14.....	1.000	14 3/4	13 1/4
DS14.....	1 1/4	.060	4, 6, 10.....	1.250	14 3/4	13 1/4
DS14.....	1 1/4	.072	4, 6.....	1.600	14 3/4	13 1/4
S17.....	1 1/2	.040	10.....	1.000	17 3/4	16 1/4
S17.....	1 1/2	.040	10.....	1.250	17 3/4	16 1/4
S18.....	1 1/2	.060	4, 6, 10.....	1.600	17 3/4	16 1/4
S18.....	1 1/2	.060	4, 6, 10.....	1.250	18 3/4	17 1/4
S18.....	1 1/2	.072	4, 6.....	2.000	18 3/4	17 1/4
DS21.....	2	.072	4, 6.....	2.000	21 3/4	21 1/4
DS21.....	2	.100	4.....	2.000	21 3/4	21 1/4
DS24.....	2 1/4	.072	4.....	2.000	24 3/4	24 1/4
DS24.....	2 1/4	.100	4.....	2.000	24 3/4	24 1/4
DS30.....	2 3/4	.100	4.....	2.600	32	26 1/4

² Welded and composite blades may be made in these sizes with the cutting edge of molybdenum type. Such blades shall be made single edge only. In lieu of the widths before milling specified, welded and composite blades may have actual over-all widths after milling as follows:

Nominal width (inches):

9/16.....	Actual width after milling (inches)
1.....	1 1/4
1 1/4.....	1 3/4
1 1/2.....	1 3/4
2.....	2 1/4

(a) Molybdenum type and 18-4-1 type.⁴

TABLE 3—BROACH BLADES

HAND FRAME SIZES

Nominal dimensions			Actual dimensions					
Length (inches)	Width	Thickness	Number of teeth per inch		Width before milling	Length over all	Center-to- center of pinholes	Pinhole diameter
			First	Last				
	Inches	Inch			Inches	Inches	Inches	Inch
S10.....	1/2	0.025	18	14	0.500	10 3/4	9 7/8	5/16
S10.....	1/2	.025	24	20	.500	10 3/4	9 7/8	5/16
S12.....	3/4	.025	18	14	.510	12 3/4	11 7/8	5/16
S12.....	3/4	.025	24	20	.510	12 3/4	11 7/8	5/16

POWER SIZES								
S12.....	1	0.065	10	6	1.000	12 3/4	11 7/8	5/16
S14.....	1	.065	10	6	1.000	14 3/4	13 3/4	5/16
S14.....	1 1/4	.065	10	6	1.250	14 3/4	13 3/4	5/16

⁴ Welded and composite blades may be made in these sizes with the cutting edge of molybdenum type or 18-4-1 type. Such blades shall be made single edge only.

[F. R. Doc. 44-11322; Filed, July 29, 1944; 11:29 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, AND MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule VIII]

HARD EDGE FLEXIBLE BACK BAND SAWS

§ 3114.9 *Schedule VIII of Limitation Order L-216—(a) Definitions.* For the purpose of this schedule:

(1) "Hard edge flexible back band saw" means any saw made from strip steel with teeth on one edge, with or without set, the tooth edge of which is hardened or hardened and tempered by any process so that it is harder than some portion of the saw below the gullets of the teeth. These saws are generally classified as metal cutting band saws but as defined here the term includes all such saws irrespective of intended or actual use.

(2) "Producer" means any person who manufactures hard edge flexible back band saws.

(b) *Restrictions on production.* On and after July 29, 1944, no producer shall manufacture, sell, or deliver any hard edge flexible back band saws unless such saws when completed are of the width, thickness, and number of teeth described in Appendix A to this schedule and conform with all other provisions of this schedule and the appendix.

(c) *Exemptions.* Notwithstanding any other provisions of this schedule, its restrictions shall not apply to the manufacture, sale or delivery of the following types of saws:

(1) Any saws the production of which was commenced prior to July 29, 1944 and is completed prior to September 29, 1944.

(2) Any saws which are manufactured for experimental purposes. All such saws, except those 1/8" or less in width, must be stamped or otherwise permanently marked "test" or "experimental." Experimental saws 1/8" or less in width shall be tagged or otherwise identified as "test" or "experimental" in such manner as is practical and does not affect the efficiency of the saw. Experimental

saws may not be sold by the producer, but may be delivered by him in reasonable quantities to users for test purposes only, to be returned to the producer with a report of the results.

(3) Any saws which are sold or delivered to the producers of hole saws, provided that the producer of hole saws shall use such saws only for the manufacture of hole saws and shall not sell or deliver any such saws to any person in lengths exceeding four feet.

(4) Any partially fabricated saws which are sold or delivered by one producer to another producer. Such saws when completed and resold shall, however, conform with all of the provisions of this schedule and the appendix.

(5) Any other saws which are sold or delivered in lengths four feet or less.

(d) *Necessity for filing specifications.* Each producer shall file with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VIII, a letter in triplicate, indicating the widths of set and the hardnesses which he has selected for each of the saws which he intends to manufacture under this schedule. This letter should be filed by August 29, 1944. Thereafter, no producer may change the width of set or hardness which he has selected without the specific permission of the War Production Board. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Appeals by users.* Where any provision of this schedule prohibits the production of any hard edge flexible back band saw and a user of such saw believes that this imposes an unreasonable hardship upon him, the user may apply for permission to have production of such saws continued. The user should file a letter in triplicate with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VIII, giving a detailed description of the special band saw which he requires, the quantity he needs, and the reason why he is unable to use a standard saw.

(f) *Termination of the simplification letter of August 18, 1941.* This schedule

supersedes the restrictions imposed by the letter, dated August 18, 1941, signed by the Chief of the Tools Section, Office of Production Management. Authorizations for the manufacture of special band saws which were issued under that letter to designated saw users shall, however, remain in effect, subject to the terms and conditions of such special authorizations, provided that delivery in all such cases is made directly to the person for whom the manufacture of the saws was authorized.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—SCHEDULE VIII TO LIMITATION ORDER L-216

(1) *Type of tooth set.* All band saws having 32 teeth per inch, the teeth of which are set, shall have Wavy set only. All other band saws, the teeth of which are set, shall have Raker set only, except that 1/2-inch band saws with 8 teeth per inch and 3/4-inch band saws with 8 teeth per inch shall have Straight set only; and 3/4-inch band saws with 3 teeth per inch and 1-inch band saws with 2, 3, or 6 teeth per inch may have both Raker set and Straight set.

(2) *Width of set.* The width of Raker set and Wavy set for each width, thickness and tooth space of saw permitted in Table 1, the teeth of which are set, shall be according to a single standard of the producer. The width of Straight set shall not be less than 0.001 inch for 0.025-inch thick saws, not less than 0.068 inch for 0.032-inch thick saws, and not less than 0.071 inch for 0.035-inch thick saws.

(3) *Hardness.* The hardness for each width, thickness and tooth space of saw, when tempered or drawn after hardening, shall be according to a single standard of the producer, and the hardness for each width, thickness and tooth space of saw, when not tempered or not drawn after hardening, shall be according to a single standard of the producer.

(4) *Tolerances.* The width after milling of a size shall be the width stated in Table 1 for such size, plus .000 inches or minus 1/64 of an inch. The actual thickness shall be the nominal thickness, plus or minus .001 of an inch.

TABLE 1—HARD EDGE FLEXIBLE BACK BAND SAWS

Width, (inch)	Nominal thickness, (inch)	Number of teeth per inch
3/16.....	0.025	18, 32.
1/8.....	.025	14, 18, 24.
1/8.....	.025	10, 14, 18, 24, 32.
1/4.....	.025	4, 6, 10, 12, 14, 18, 24, 32.
3/8.....	.025	8, 10, 14, 18, 24.
1/2.....	.025	3, 4, 6, 8, 10, 14, 18, 24.
3/4.....	.032	6, 8, 10, 14, 18, 24.
1.....	.032	3, 6, 8, 10, 12, 14.
1.....	.035	2, 3, 6, 8, 10, 14.

[F. R. Doc. 44-11323; Filed, July 29, 1944; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-73, as Amended July 28, 1944]

WOOL

§ 3290.286 *Conservation Order M-73—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable reg-

ulations of the War Production Board, as amended from time to time.

(b) *Definitions.* In this order:

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Angora goat (mohair) or the Cashmere goat, camel, alpaca, llama, vicuna, and related fibers, including carpet wool, but does not include nolls, waste, tanners' wool waste, reprocessed or reused wool, or yarn or cloth;

(2) "Waste" means the by-product resulting from carding, combing, spinning and subsequent operations on any system, but does not include the by-product resulting from scouring and carbonizing operations;

(3) "Put into process" means:

(i) On the worsted system, the first operation of drawing after combing;

(ii) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding, as the case may be;

(iii) On the woolen, felt, or any other system not using tops, the first operation after scouring, carbonizing, dusting or similar cleaning or preparatory process;

(4) [Deleted Nov. 19, 1943]

(c) *Restrictions.* (1) No person shall put into process any wool other than carpet wool or mohair for the manufacture of any floor covering.

(2) No person shall put into process or use any alpaca or tops therefrom (except alpaca seconds, llama, huarizo, pieces, low offsorts or locks), except for the manufacture of yarns or cloth to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(3) No spinner shall deliver on an unrated order any knitting yarn which he puts into process in the period from May 21, 1944 through July 30, 1944. No spinner shall deliver on unrated orders more than fifty per cent of the knitting yarn which he puts into process in the period from July 31, 1944; through October 29, 1944. (No spinner is hereby relieved from the requirements of Priorities Regulation 1 to accept and fill rated orders placed with him regardless of the percentage of his production covered by such orders.) He shall in each such period produce at least the same proportion of knitting yarn to all other Bradford yarn as he produced in the first calendar quarter in 1944.

In this subparagraph "yarn" means yarn containing wool, produced on spinning, twisting or roving frames on the Bradford system; "spinner" means a person who produced in the first calendar quarter in 1944, or who hereafter produces, such knitting yarn for use by himself or others; calculations shall be in pounds.

(d) *Prohibition against sales or deliveries.* No person shall sell, deliver, or accept any material if he knows, or has

reason to believe, such material is to be used in violation of this order.

(e) *General exceptions.* The restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by-hand, including the spinning and weaving of the cloth.

(f) *Equitable distribution.* It is the policy of the War Production Board that wool, nolls, waste, tanners' wool waste, and reprocessed or reused wool, and yarns, cloth, felts and products containing any of the foregoing, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard shall be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Reports.* Every person classified below, to whom the form is sent by the War Production Board or by the Bureau

of the Census, shall, within the period specified in the reporting form, file with the War Production Board, or the Bureau of the Census, whichever is specified in the form, each form applicable to him, giving the information required, as follows:

Who shall file:

Form Number

1. A person in the business of putting into process wool or wool tops, or who has wool or wool tops put into process by another for his account. WPB-2257 (formerly FD-274).

2. A person in the business of operating woolen, worsted or felting machinery. WPB-2257, WPB-1420.

3. An owner, or a consignee from a grower, of wool, nolls, waste, tanners' wool waste, reprocessed or reused wool. WPB-295, WPB-370.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-73.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11297; Filed, July 23, 1944; 4:38 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-84, Amdt. 1]

CORDAGE, FIBER, CORDAGE YARN AND CORDAGE

Section 3290.221 Conservation Order M-84 is amended as follows:

In Schedule A, delete in the End use column "Falls-Lifeboat" as well as the definition and the words "Yes" in the Manila and Agave columns, and substitute:

End use	Definition	Manila	Agave
Falls—Lifeboat, coasting ships.....	A rope used generally in conjunction with a pair of davits, used to raise or lower lifeboats which contain people.	Yes.....	Yes.
Falls—Lifeboat, coastwise and Great Lakes ships.	Same as above.....	.....	Yes.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11324; Filed, July 29, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS
[Limitation Order L-233, as Amended July 28, 1944]

PHOTOGRAPHIC FILM AND FILM BASE

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of critical materials and facilities used in the production of film and film base for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.265 *Limitation Order L-233—*

(a) *Definitions.* For the purpose of this order:

(1) "Film" means any of the types of photographic film listed in Groups I through VI of paragraph (b) (1).

(2) "Unfinished film" means sensitized film base which requires further finishing in order to put it in a form ready to be sold for exposure.

(3) "Manufacturer" means any person engaged in the business of finishing film, or making unfinished film or film base.

(4) "To finish film" means the final act of putting unfinished film in a form in which it is ready to be sold for exposure. A person who purchases unfinished film and who cuts it, winds it, packages it, or performs any operation on it to put it into such form is finishing film. A person who purchases film which has already been finished and who recuts, respools, rewinds, and repackages it is not finishing film whether he performs any or all of these operations.

(5) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army, Navy, Maritime Commission, War Shipping Administration and any order for export. Orders from the Army or Marine Corps Post Exchanges or the Navy or Coast Guard Ships Service Departments are not preferred orders unless they carry a preference rating assigned on Form WPB-542, applied and, if necessary, extended pursuant to paragraph (c) (3) in this order.

(b) *Restrictions on finishing of film and on delivery of unfinished film and film base.* (1) During the calendar quarter beginning July 1, 1944 and during each calendar quarter after that:

(i) No manufacturer shall finish more film of the following groups:

"Group I"—Amateur and 35 mm. still camera roll film whether packaged in cartridges, spools, or in bulk.

"Group II"—Cut sheet film including film packs and graphic film in roll form but excluding x-ray film.

"Group III"—35 mm. motion picture film.

"Group IV"—8, 16, and 32 mm. film.

"Group V"—X-ray film.

"Group VI"—Aero film.

than according to a quota authorized in writing by the War Production Board; and

(ii) No manufacturer shall sell or deliver more unfinished film or film base in that form than according to a quota authorized in writing by the War Production Board.

(2) Each manufacturer who wants a quota shall file a letter in triplicate with the War Production Board on or before the 10th day of the month before the calendar quarter in which he wishes to finish film or to sell or deliver unfinished film or film base. This letter should show film in the groups listed in para-

graph (b) (1), stating the amount of film (to the nearest thousand square feet) he wishes to finish in each group, separately for preferred orders and all other orders. Where request is made for a quota to sell or deliver unfinished film or film base, the letter should specify the amounts involved to the nearest thousand square feet.

(3) Before the start of each calendar quarter the War Production Board will notify each manufacturer who has applied what his quotas are. Quotas for the finishing of film will be assigned separately by group for preferred orders and all other orders. In assigning quotas for the finishing of Group I, Group II, and Group III film, it will be the general policy of the War Production Board not to authorize any manufacturer to finish in any calendar quarter more than 12½% of the Group I film finished by him in 1941 or more than 19% of the Group II or Group III film finished by him in 1941.

(4) The War Production Board will from time to time or upon the request of any manufacturer give the amounts of film by group which each manufacturer is authorized to finish.

(5) The War Production Board may from time to time change any quotas assigned by it and may direct any manufacturer to sell specific quantities of film, unfinished film or film base to specific persons or for specific uses. Any manufacturer who wishes to have a quota adjusted to take care of changing conditions during a quarter may make application to the War Production Board.

(c) *Special restrictions on distribution.* (1) No rating may be used to obtain film unless that rating has been assigned on Form WPB-541 or WPB-542. All other orders for film shall be treated as unrated orders.

(2) Ratings assigned on WPB-541 and WPB-542 (except on orders from the Army or Marine Corps Post Exchanges or the Navy or the Coast Guard Ships Service Departments) shall be applied and extended in the manner provided by Priorities Regulation 3, with the following added to the form of certification: "This rating has been assigned on Form WPB-541 (or WPB-542)".

(3) Ratings assigned on Form WPB-542 on film orders from the Army or Marine Corps Post Exchanges, or the Navy or Coast Guard Ships Service Departments, shall be applied and extended, in the manner provided by Priorities Regulation 3, but shall also bear the appropriate endorsement prescribed in Priorities Regulation 17.

(4) This order restricts the production of 35 mm. motion picture film but no restrictions in this order are applicable to the delivery of such film. The distribution of 35 mm. motion picture film is controlled by Order L-178.

(d) *Reports.* Each manufacturer shall file with the War Production Board on or before the twentieth day of April, July, October, and January Form WPB-1600 according to the instructions for filing that form.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L-233, referring to the particular provision appealed from and stating the grounds of the appeal.

(g) *Applicability of regulations and other orders.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of film, unfinished film, or film base to a greater extent than does this order the other order shall govern unless it states otherwise.

(h) *Communications.* All reports to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-233.

Note: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11252; Filed, July 28, 1944; 11:31 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-75, Revocation]

DIPHENYLAMINE

Section 3293.106 *Allocation Order M-75* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Diphenylamine is subject to allocation under General Allocation Order M-300 as an Appendix C material, subject to Schedule 39, issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of diphenylamine prior to September 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-75.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11325; Filed, July 20, 1944; 11:31 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,
Schedule 37]

ULTRAMARINE BLUE

§ 3293.1037 *Schedule 37 to General Allocation Order M-300—(a) Definition.* "Ultramarine blue" means the manufactured blue pigment approximating the composition of natural lapis lazuli. The term includes only those grades known in the trade as CUX, 4186 and 8268, meeting specification TT-U-450, (Navy grade)—Color Index 1290.¹

(b) *General provisions.* Ultramarine blue is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is August 1, 1944. The allocation period is the calendar month. The small order exemption without use certificate is 25 pounds per person per month.

(c) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month, except that applications for use or delivery in August, 1944 may be filed as soon as possible after July 20, 1944. Send three copies (one certified) to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-37. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names for delivery on uncertified exempt small orders. Fill in Table II.

(d) *Certified statements of use.* Each person placing orders for delivery of more than 25 pounds of ultramarine blue per month in the aggregate from all suppliers shall furnish each supplier with a certified statement of proposed use in the form prescribed in Appendix D of Order M-300. End use should be specified in terms of primary product, specification number and government agency contract number. If the pigment is to be used in marine paints for MRO (maintenance, repair or operating supplies) in accordance with paragraph (d) (2) of Order P-65, the term "P-65 Marine Paints" may be used in place of the contract number. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders" or "for export" (specify destination and export license number).

(e) *One time base period report.* Each person (excluding suppliers) placing his first purchase order, pursuant to this schedule M-300-37, for delivery of more than 25 pounds of ultramarine blue shall within 5 days thereafter file one copy of a one time base period report on Form WPB-3442, with War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-37. Another copy should be retained. The report need only be filed once. Fill in the heading as indicated on the report. Leave section I blank, and fill in only Columns a, b and c of section II. In Column b of section II, actual stocks should be given as of the

first of the month in which the report is filed, while in Column c estimated stocks should be given as of the first of the month after the month in which the report is filed.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-37.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11328; Filed, July 29, 1944;
11:30 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,
Schedule 38]

NAPHTHALENE

§ 3293.1038 *Schedule 38 to General Allocation Order M-300—(a) Definitions.* (1) "Naphthalene" means the chemical compound known by that name.

(2) "Naphthalene bearing oil" means any oil containing 20% or more naphthalene by weight as determined in accordance with paragraph (f) and having a melting point under 70° C.

(3) "Crude naphthalene" means any naphthalene-oil mixture having a melting point of 70° C. or higher but less than 79° C. Grade is determined by the following melting point ranges:

70° C. to less than 74° C.
74° C. to less than 76° C.
76° C. to less than 78° C.
78° C. to less than 79° C.

(4) "Refined naphthalene" means naphthalene or any naphthalene-oil mixture having a melting point of 79° C. or higher.

Crude and Refined Naphthalene
Restrictions

(b) *General provisions.* (1) Crude naphthalene and refined naphthalene are subject to the provisions of General Allocation Order M-300 as Appendix A materials. The initial allocation date is June 1, 1942, when naphthalene first became subject to allocation under Order M-105 (revoked). The allocation period is the calendar month. The small order exemption per person per month is 250 lbs. in the aggregate of either crude or refined naphthalene, or of any combination of crude and refined naphthalene.

(2) Any person who has been authorized to use naphthalene for a specified purpose may perform all intermediate operations to accomplish that purpose. For example, a person who has been authorized to accept delivery of crude naphthalene to make beta naphthol may refine the naphthalene and use it to produce beta naphthol without further application or authorization.

(3) Prior to September 1, 1944, crude and refined naphthalene shall be delivered, accepted and used on the basis of applications and authorizations hitherto required by Order M-105 (revoked).

(c) *Insecticides and repellents.* (1) Allocations of aggregate quantities of crude or refined naphthalene will be made to producers or refiners for distribution for moth and insect repellent purposes and for agricultural insecticide purposes. This naphthalene may then be prepared and delivered by the producer or refiner and may be received, redelivered and used by any person for these purposes without further application or further authorization under this order, but subject to all other applicable orders and regulations of the War Production Board.

(2) No producer or refiner shall package or process crude or refined naphthalene for repellent or insecticide purposes in advance of receiving an allocation of naphthalene for these purposes. Application for allocation should be made as provided in paragraph (b) below. The refining of naphthalene for these purposes is subject to the restrictions of paragraph (d) (2) below.

(3) Each person ordering over 250 pounds per month of crude or refined naphthalene for resale for any moth and insect repellent purpose, or for any agricultural insecticide purpose, shall furnish each of his suppliers with a signed statement that the naphthalene will be resold for one or both of these purposes (specify which purpose and if both, specify quantity for each). The statement should be followed by the certification prescribed in Appendix D of Order M-300. This statement need be filed only once with each supplier if the purchaser buys naphthalene exclusively for only one of these purposes and if the statement refers to future deliveries. This statement need not be filed when ordering in retail packages of 5 lbs. or less labeled for use as a moth or insect repellent or as an agricultural insecticide.

(4) No supplier who has been allocated crude or refined naphthalene for delivery on exempt small orders of 250 pounds or less shall deliver any part of this naphthalene to any person who he knows or has reason to believe is ordering it for moth and insect repellent or agricultural insecticide purposes.

(d) *Refining.* (1) Crude or refined naphthalene may be delivered and received for further refining to a higher melting point without specific authorization, if the person receiving it certifies to the person delivering it that the naphthalene will be further refined. The certificate should be filed as prescribed in Appendix D of Order M-300.

(2) Crude or refined naphthalene may be refined to remove impurities or to raise the melting point, without specific authorization, if no greater quantity is refined than is required to maintain a minimum practicable working inventory of naphthalene of that degree of refinement and to fill orders for which allocations have been made under this schedule.

¹ Society of Dyers and Colourists "Colour Index," Bradford, Yorkshire, January 1924.

Any refining of crude or refined naphthalene not exempt under this paragraph, or under paragraph (b) (2), constitutes a use which must be authorized under this order.

Naphthalene Bearing Oil Provisions

(e) *Refining of naphthalene bearing oil.* No person shall use, deliver or accept delivery of naphthalene bearing oil for any purpose other than further concentration of the naphthalene content or extraction of crude or refined naphthalene. Before delivering naphthalene bearing oil for these purposes the person making delivery must obtain from the person accepting delivery a certified statement that the oil is required for these purposes. The statement should be filed in the form prescribed in Appendix D of Order M-300. Application for exemption from these provisions may be made by letter (three copies) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38, specifying why exemption is requested.

(f) *Test method for naphthalene bearing oil.* The naphthalene content of an oil shall be determined from a representative sample of the oil by the following procedure: (1) The sample of the oil shall be distilled by Method A. S. T. M.-D246-42, and the oil distilled between the temperatures of 170° C and 235° C shall be removed and chilled to a temperature of 15° C plus or minus 1° C for a period of three hours. (2) The free oil shall then be separated from the naphthalene crystals and these crystals shall then be pressed to remove the remaining oil. The crystals shall be weighed, and this weight shall then be compared with the weight of the original naphthalene-oil to determine the percentage of naphthalene content.

Applications for Crude or Refined Naphthalene

(g) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver crude or refined naphthalene shall file application on Form WPB-2946 (formerly PD-601). Note that certain deliveries are exempt under paragraphs (c) and (d) (1). Filing date is the 20th day of the month before the proposed delivery month. Separate applications shall be filed for each producing and distributing point. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38. Unit of measure is pounds. Grade shall be specified as "refined" or in the case of crude naphthalene, in terms of the ranges listed in paragraph (a) (3). Group customers by grades ordered. In Table I, first list all customers from whom copies of WPB-2945 applications have been received (including the name of the applicant supplier if he has filed application on Form WPB-2945 for use of his own stock). Second, an aggregate quantity may be requested, without specifying individual customers' names, for delivery on exempt small orders of 250 pounds or less per

customer per month. Third, report all customers to whom it is expected exempt deliveries under paragraph (d) (1) will be made, including the name of applicant supplier if he expects to refine some of his own stock. Do not report names of customers exempt under paragraph (c). (If the applicant supplier is a producer or refiner seeking allocation for repellent or insecticide purposes, he should file application under paragraph (h) below). Fill in Table II as indicated, specifying separate quantities for each grade of naphthalene referred to in Column 3 of the application.

(h) *Customers' applications on WPB-2945.* Each person seeking authorization to use or accept delivery of crude or refined naphthalene, and each producer or refiner applying for an allocation of crude or refined naphthalene for moth and insect repellent or agricultural insecticide purposes, shall file application on Form WPB-2945 (formerly PD-600). Note that certain exemptions are provided in paragraphs (c) and (d). Filing date is the 15th day of the month preceding the requested allocation month. File separate sets of forms for each different supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Specify grade as "refined" or, in the case of crude naphthalene, in terms of the melting point range listed in paragraph (a) (3). Fill in Column 3 in terms of the following:

- Phthalic anhydride.
- Beta naphthol.
- Other dye intermediates (specify).
- Chlorinated naphthalene.
- Oil additives.
- Oil treating compounds.
- Rubber chemicals (specify).
- Chemical manufacturing (specify).
- Wetting agents.
- Tanning agents.
- Moth and insect repellents.
- Agricultural insecticides.
- Other primary product (specify).
- Inventory.
- Export.
- Resale.

Specify and use in Column 4 (in accordance with paragraph 11-a of Appendix E of Order M-300) and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(i) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to War Production Board.* Communications concerning this schedule shall be directed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11329; Filed, July 29, 1944;
11:30 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 39]

DIPHENYLAMINE

§ 3293.1039 *Schedule 39 to General Allocation Order M-300—(a) Definition.* "Diphenylamine" means phenyl aniline from whatever source derived.

(b) *General provisions.* Diphenylamine is subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is February 1, 1942, when diphenylamine first became subject to allocation under Order M-75 (revoked). The allocation period is the calendar month. The small order exemption per person per month is 50 pounds.

Customers must furnish use certificates when ordering between 50 and 5000 lbs. per month, and must file application on Form WPB-2945 when ordering over 5000 lbs. per month or when applying for specific authorization to use any quantity in inventory.

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to September 1, 1944, will be authorized on the basis of applications filed under Order M-75 (revoked).

Requirements for applications under M-75 and under this schedule are substantially identical except for reference to M-300-39 instead of to M-75, and except for the form of certification on orders for between 50 and 5000 lbs. per month.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-39. The unit of measure is pounds. In Table I, first, list in Column 1 the names of customers who have filed WPB-2945 forms with the applicant and in Column 1a specify "WPB-2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in the certificates; third, specify in Column 1 "Aggregate small order deliveries" and leave Column 1a blank; fill in other columns as indicated. Fill in Table II.

(e) *Customers' specifications on WPB-2945.* Each person seeking delivery of more than 5000 lbs. of diphenylamine per month in the aggregate from all suppliers, or seeking specific authorization to use diphenylamine, shall file application for authorization on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the month for which allocation is requested. Separate sets of forms shall be filed for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-39, and one copy (reverse side blank) to the supplier. The unit of

measure is pounds. Fill in Column 3 in terms of the following:

Dynamite.	Anti-oxidants.
Smokeless powder.	Resins and plastics.
Diphenyl chloro-arsene.	Protective coatings.
Rubber chemicals (specify).	Other (specify).
Dyes.	Export (as diphenylamine).
Phenothiazine.	Resale (as diphenylamine).
Smear No. 62.	Inventory (as diphenylamine).
Soap	

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in the other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of between 50 lbs. and 5000 lbs. of diphenylamine per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use. Describe proposed use as shown in paragraph (e) above and certify in the form prescribed in Appendix D of Order M-300.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-39.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11330; Filed, July 29, 1944;
11:30 a. m.]

PART 3293—CHEMICALS

[Preference Rating Order P-89, as Amended
July 29, 1944]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3293.521 *Preference Rating Order P-89—(a) Definitions.* For the purpose of this order:

(1) "Producer" means any person operating a plant engaged in the production of chemicals or allied products, who shall have received a serial number from the War Production Board pursuant to paragraph (b).

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Controlled material" means controlled material as defined in CMP Regulation No. 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition when the same has been rendered unsafe or unfit for

service by wear and tear, damage, failure of parts or the like.

(6) "Operating supplies" means any material which is essential to the operation of the producer's plant including, but not limited to, lubricants, catalysts, safety equipment worn by employees, hand tools and small perishable tools: Provided, however, That the term operating supplies shall not include;

(i) Any material which is physically or chemically incorporated, at any stage of production, in whole or in part, into any material which the producer manufactures.

(ii) Any material which, at any stage of production, enters into the chemical reaction necessary to the manufacture, or is used in the purification (including, among other things, washes, solvents, extractants, filter aids, and the like) of any material which the producer manufactures.

(7) Material for maintenance, repair and operating supplies shall include:

(i) Material for the improvement of the producer's plant through the replacement of material in the existing installation, but only when such equipment is beyond economical repair.

(ii) Material for the maintenance and repair of pressure cylinders.

(iii) Material, such as hand tools, customarily purchased by the particular employer for sale to his employees for use only in his business, provided such material would constitute an operating supply under established accounting practice if issued to employees without charge.

(iv) Material for maintenance, repair and operating supplies for general offices, branch offices, sales rooms and other facilities essential to the conduct of the business.

(8) In addition, there may be included as maintenance, repair and operating supplies minor capital additions, the cost of which does not exceed \$500, excluding the producer's cost of labor, for any one complete addition which has not been subdivided for the purpose of coming within this definition.

Blanket ratings or allotments assigned under this order may be used to obtain material required for rearrangement of an existing installation, for adaptation of an existing installation to a different process, or for installation of new machinery or equipment, if the cost of the required material (not including cost of used material) does not exceed \$1000 for each complete job.

Ratings and allotments under this order may also be used to obtain materials for installation or relocation of machinery or equipment permitted by Direction 2 under Order L-41.

(9) In addition, material for maintenance, repair and operating supplies may include material required to avoid losses of production below current rated capacity as a result of manpower losses by installation of labor-saving devices,

(10) "P-89 producer's cost of labor" means the cost of labor performed by employees of a producer registered under this order, and includes the labor cost of a contractor to the extent that the contractor's labor is performed on the premises of the producer.

(11) [Revoked July 29, 1944]

(b) *Application for assignment of serial number.* In order to become a producer subject to this order, any person operating a plant engaged in the production of chemicals or allied products, may apply by letter requesting assignment of a serial number under this order to specified plants. Such letter shall be addressed to War Production Board, Chemicals Division, Washington 25, D. C., Ref: P-89, and shall be accompanied by application on Form WPB-1765.

(c) [Deleted Jan. 14, 1944]

(d) *Assignment of preference rating, allotment symbol and purchase order quota.* (1) The blanket preference rating and allotment symbols under this order shall be those specifically assigned by the War Production Board to each producer on Form WPB-1765, or in some cases by letter. This rating may be applied for services to have the producer's plant, machinery or equipment repaired, as provided in Priorities Regulation 3. No producer shall apply the preference rating or allotment symbol assigned under this paragraph to any order for fabricated parts or material having a unit cost of \$1000 or more, excluding the P-89 producer's cost of labor. For the purpose of determining unit cost, an item shall not be subdivided into its component parts. Unit cost shall be computed on the basis of the cost of each item ordered, and not on the basis of the total cost to the P-89 producer for each particular operation requiring maintenance, repair and operating supplies. Applications must be made pursuant to paragraph (e) for preference ratings or allotment symbols for parts or material having a unit cost of \$1000 or more.

(2) No producer shall place orders during 1944 for maintenance, repair and operating supplies costing more than 120% of the cost of the maintenance, repair and operating supplies which he ordered during 1943. This refers to orders without ratings or allotments (unless specifically for postwar delivery), and to orders with ratings or allotments assigned independently of this order (as on Form WPB-541, formerly PD-1A), as well as to orders with blanket ratings or allotments under this order, whether for straight maintenance, repair or operating supplies or for minor capital additions or for installation materials under paragraph (a) (8). However, orders for items having a unit cost over \$1000 (or

over \$500 prior to July 29, 1944) approved upon application on Form WPB-1319 are not included, nor orders approved under paragraphs (e) or (f) of P-89. Orders for items on Lists A and B of Priorities Regulation 3 may be disregarded if not counted among either 1943 or 1944 purchases.

The producer may calculate his 1943 purchases under this paragraph on the basis of his normal accounting practice or on the basis of doubling the estimated dollar value of the quotas specifically assigned to him under this order for the 3rd and 4th quarters of 1943, including revisions.

Each producer must count against his quota all his purchase orders for maintenance, repair and operating supplies placed during 1944, even though he may have registered under P-89 after January 1, 1944.

Application for revision of 1944 quota may be made on Form WPB-1765 as prescribed therein.

(e) *Special applications.* (1) If the producer is unable to secure delivery of materials or services for maintenance, repair or operating supplies, including Class A products, because the preference ratings or allotment numbers or symbols assigned hereunder are insufficient, or because the unit cost limitation would be exceeded, the War Production Board may, upon written or telegraphic request, assign such special ratings or allotments as it deems proper. Such letters or telegrams shall be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: P-89, and shall contain the following information:

1. Plant location and P-89 serial number.
2. Fabricated item(s) or controlled material(s) being ordered. When a Class A product is being ordered specify weight of each controlled material. When controlled materials are ordered specify in what quarter needed.
3. Value of order.
4. How will item(s) be used by you upon receipt of order?
5. If a replacement, is the item a duplicate of the one being replaced? If not, explain the difference. How old is the replaced item?
6. (a) Amount of such material (or equivalent substitute) in inventory. (b) In the case of processing equipment, how many units in service?
7. (a) What is the average life of the item(s) being ordered? (b) How many hours per week is it used?
8. Name and address of the supplier.
9. Purchase order number and date (if placed).
10. Principal end uses of product or products affected.
11. Actual curtailment of entire plant production now.

12. Estimated curtailment of plant production if breakdown occurs before receipt of order.

13. Explain urgency of the order—Is it for actual replacement on receipt, for inventory, or for expansion.

14. Requested rating and allotment.

15. Delivery date promised by supplier on basis of rating requested.

(2) If the request under paragraph (e) (1) above is for the kind of Class A facility covered by Direction 34 to CMP Regulation 1, the War Production Board will treat the request as an application under that direction and will, if the request is approved, assign a rating for the purchase of the facility and make an allotment on CMPL-150 of the controlled materials needed to make the facility. When a CMPL-150 is issued under this paragraph, the applicant and the manufacturer of the Class A facility should follow the procedure set forth in Direction 34 (paragraphs (e) and (f) in particular) to CMP Regulation 1, as if the CMPL-150 had been issued under that direction.

(f) *Special ratings for containers.*

(1) Steel drums as defined in Limitation Order L-197, cans as defined in Conservation Order M-81, wooden or fibre containers as defined in Preference Rating Orders P-140 and P-146, glass containers as defined in the L-103 series of orders, and all other containers (and container parts) on List B of Priorities Regulation 3, may not be obtained by blanket or special ratings under this order.

(2) Other containers may not be obtained by use of the blanket rating assigned under paragraph (d) of this order, but application may be made to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: Chemicals Packaging Section, for special preference ratings under this order. The application shall be filed by letter in duplicate or by telegram and shall specify:

1. Product to be packaged.
2. Plant location and P-89 serial number.
3. Number of containers requested.
4. Specification of container.
5. Other sizes of containers used to package the product.
6. Average number of containers shipped per month (of the size ordered).
7. What substitute containers have been used or could be used.
8. Inventory position of the requested containers, including both new and used containers, and those out on deposit.
9. Name of container supplier and applicant's order number.
10. Total value.
11. Rating requested.
12. Delivery date promised by supplier on the basis of rating requested.

(g) *Procedure for applying preference ratings and allotment numbers or sym-*

bols to purchase orders. (1) Ratings or allotments assigned under this order may be endorsed on or attached to purchase orders in the following form, signed manually or as provided in Priorities Regulation 7:

----- (Preference Rating) ----- (Allotment number or symbol)

----- (P-89 Serial Number)

Certified under P-89.

----- (Name of purchaser) By ----- (Signature and title of duly authorized officer)	----- (Address) ----- (Address)
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The certification provided in Priorities Regulation No. 7 may be used as an alternate procedure, provided the above information is added.

(2) An order bearing such certification shall be deemed an authorized controlled material order in the case of controlled materials, and in the case of all other materials shall have the same status as an order bearing an allotment number or symbol for the purposes of CMP Regulation No. 3 and all other applicable CMP regulations.

(3) No producer may apply the ratings assigned by or pursuant to this order to obtain delivery of the items set forth in Lists A and B attached to Priorities Regulation 3, as now or hereafter amended, except where the regulation permits the use of P-89 ratings for a particular item or where ratings are specifically assigned pursuant to paragraphs (e) or (f) of this order for specific kinds and quantities of List B items.

(h) *Inventory diversion.* No producer shall use material for maintenance, repair or operating supplies obtained with ratings or allotment numbers or symbols assigned by or pursuant to this order, except in that portion of his productive facilities to which a serial number under this order has been assigned.

(i) *Inventory restriction.* No producer shall accept delivery of any non-controlled material for maintenance, repair or operating supplies, whether or not obtained with preference ratings or allotment numbers or symbols assigned by or pursuant to this order, which would cause his inventory of such material for maintenance, repair or operating supplies to exceed a minimum practicable working inventory. Inventories of controlled materials held by producers are subject to the provisions of CMP Regulation No. 2.

(j) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time; *Provided, however,* That no producer shall be subject to the provisions of CMP Regulations No. 5 or No. 5A, and no producer shall obtain any material under the provisions of either of said regulations. Privileges under other WPB regulations and orders granted to persons on Schedules I and II of CMP Regulation 5

shall be considered as applicable to producers assigned an equal preference rating under this order (for example, Order E-5-a on gauges and precision measuring tools classifies a person on Schedules I and II of CMP Regulation 5 as an 'approved user'). For the purpose of this order a producer remains a producer from the time a serial number is granted to him until the time when the serial number is expressly revoked by the War Production Board.

(k) *Miscellaneous provisions*—(1) *Records*. In addition to the records required to be kept under Priorities Regulation No. 1, a producer placing any purchase order or contract rated or assigned a CMP allotment number or symbol hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts, or filed in such manner that they can be readily segregated for such inspection.

(2) *Reports*. The War Production Board may require each producer to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to Federal Reports Act of 1942, and may issue special directions to any producer with respect to preparing and filing Form WPB-1765.

(3) *Budget Bureau approval*. The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

(4) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(5) *Violations*. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D.C.; Ref.: P-89.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11326; Filed, July 29, 1944;
11:30 a. m.]

PART 3293—CHEMICALS

[Preference Rating Order P-89, Revocation of Interpretation 1]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

Interpretation 1 to Preference Rating Order P-89 (§ 3293.521), which concerns application of P-89 ratings to containers and which was issued March 27, 1942, is revoked. This matter is covered by paragraph (f) of Order P-89, as amended.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11327; Filed, July 29, 1944;
11:29 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-591]

CHARLES MANOOG, INC.

Charles Manoog, Inc., a corporation substantially owned and managed by Charles Manoog, is a wholesale dealer in plumbing supplies in Worcester, Massachusetts. On or about September 15, 1943, it accepted delivery of forty-three bath tubs which it had purchased on the previous day at an auction sale, without preference ratings, in grossly negligent violation of General Limitation Order L-79. It sold and delivered four of the tubs on or about October 11, 1943, to a retail dealer in Portland, Maine, without a rated order, in wilful violation of Order L-79, and seven of the tubs on or about October 16, 1943, to Louis M. Kortick, a plumber, of Providence, Rhode Island, upon a consumer's P-84 certification stamped on the order by one of the company's salesmen, which he had reason to know was not true, in violation of Preference Rating Order P-84. On or about February 10, 1944, it delivered a Class B oil burner to a consumer for installation, which was not for replacement or a new installation for which the Petroleum Administrator for War had specifically approved delivery of fuel oil. This was a wilful violation of General Limitation Order L-74 in that the sale was in reckless disregard of the provisions of Order L-74.

Suspension Order S-151 was issued against the company on November 23, 1942. Its course of conduct demonstrates that it is an inefficient and wasteful conduit of scarce materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.591 *Suspension Order No. S-591*. (a) Deliveries of material to Charles Manoog, Inc., its successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order and no preference rating shall directly or indirectly be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production

Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this suspension order shall not apply to orders for maintenance or repair (excluding minor capital additions) as defined in CMP Regulations (as amended from time to time), nor to orders bearing a preference rating of AA-2X or higher.

(c) Nothing contained in this order shall be deemed to relieve Charles Manoog, Inc., and Charles Manoog individually, and their respective successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 29, 1944, and shall expire November 29, 1944.

Issued this 22d day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11379 Filed, July 23, 1944;
5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-592]

LOUIS M. KORTICK

Louis M. Kortick of 45 Pembroke Avenue, Providence, Rhode Island, is a dealer in plumbing supplies. On or about October 16, 1943, he accepted delivery of seven bathtubs from Charles Manoog, Inc., Worcester, Massachusetts, which he obtained upon a purchase order which either had no preference rating or a rating of AA-5 which he knew he was not entitled to apply or extend. The order also contained Kortick's certification that the equipment was needed by him to replace equipment worn out, damaged beyond repair or destroyed; this certification was not true for the bathtubs were purchased for Kortick's inventory as a dealer for the purpose of resale.

The acceptance of delivery of this plumbing equipment on an order not rated A-10 or higher was in violation of General Limitation Order L-79, and the execution of the false certificate was in violation of Preference Rating Order P-84. Louis M. Kortick was aware of these two orders governing his business and the violation of General Limitation Order L-79 was the result of gross negligence and the violation of Preference Rating Order P-84 was wilful. These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that

§ 1010.592 *Suspension Order No. S-592* (a) Deliveries of material to Louis M. Kortick, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned,

applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this suspension order shall not apply to orders for maintenance or repair (excluding minor capital additions) as defined in CMP Regulation 5 (as amended from time to time), nor to orders bearing a preference rating of AA-2X or higher.

(c) Nothing contained in this order shall be deemed to relieve Louis M. Kortick, his successors or assigns, from any restrictions, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 29, 1944, and shall expire on September 29, 1944.

Issued this 22d day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11380; Filed, July 29, 1944;
5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-594]

EL CAMPO RICE MILLING CO., INC.

El Campo Rice Milling Company, Inc., El Campo, Texas, is a corporation engaged in the sale of rice and the manufacture and sale of mixed feeds in which molasses is customarily used as an ingredient. During the first three calendar quarters of 1943, it accepted delivery of 11,611 gallons of molasses in excess of the quota permitted by General Conservation Order M-54, but during the fourth calendar quarter it accepted delivery of 136 gallons less than its quota, so that its net receipts for the year 1943 exceeded its quota by 11,475 gallons of molasses, in violation of General Conservation Order M-54. During the first three calendar quarters of 1943, it used or consumed 13,267 gallons of molasses in excess of the quota permitted by General Conservation Order M-54, but during the fourth calendar quarter it used or consumed 3,776 gallons less than its quota, so that its net use or consumption for the year 1943 exceeded its quota by 9,491 gallons of molasses, in violation of General Conservation Order M-54. The responsible officials of El Campo Rice Milling Company, Inc., were familiar with the provisions of General Conservation Order M-54 and its actions were so grossly negligent that they must be deemed to constitute wilful violations of that order.

These violations of General Conservation Order M-54 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the

United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.594 *Suspension Order No. S-594.* (a) El Campo Rice Milling Company, Inc., its successors or assigns, during the third and fourth calendar quarters of 1944 shall reduce its total acceptance of delivery and use of molasses by 9,491 gallons under the quota. It would otherwise be entitled to accept delivery of and use under General Conservation Order M-54 (as amended from time to time), unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve El Campo Rice Milling Company, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 29, 1944, and shall continue in effect until December 31, 1944.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11381; Filed, July 29, 1944;
5:00 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 24]

PURCHASE OF MACHINE TOOLS, MANUFACTURING MACHINERY, AND SIMILAR EQUIPMENT NEEDED FOR CIVILIAN PRODUCTION

§ 944.450 *Priorities Regulation 24—*

(a) *What this regulation does.* This regulation tells how purchase orders for machine tools, manufacturing machinery, and similar equipment may be placed by companies who wish to get ready for the resumption or expansion of civilian production when this is possible without interfering with war or essential civilian production. Where suitable existing equipment is not available, this regulation modifies the restrictions on the acceptance and filling of unrated purchase orders which are imposed by the WPB orders listed at the end of this regulation. It is the policy of the War Production Board to encourage the purchase of such equipment primarily from existing excess stocks as they may be made available in order to avoid using scarce materials in making additional new equipment. When these are not available, it is the policy of the War Production Board to permit the placing of unrated orders for new equipment which will be needed for civilian production as long as the filling of these orders does not interfere in any way with direct or indirect war production. This regulation also explains when ratings may be assigned to orders for equipment needed for civilian production.

(b) *Removal of restrictions on placing, acceptance and delivery of certain purchase orders.* The various WPB orders shown on List A at the end of this regulation forbid the sale of items which they cover to fill unrated orders. Some of them require a rating before a purchase order may be placed and accepted, while others require a rating before an item may be produced or delivered to fill a purchase order. Many of them contain both kinds of restrictions. They may also require a special WPB form. This regulation overrides these restrictions and unrated purchase orders may now be placed, accepted and filled for items covered by the WPB orders mentioned on List A. This elimination of restrictions is subject to the following:

(1) The buyer must obtain the approval of the War Production Board as explained in paragraph (c) before he places the unrated purchase order.

(2) No producer of products covered by WPB orders on List A who accepts unrated orders under this regulation may put into production any unrated orders for such products without getting specific permission from the War Production Board. A producer who wants to begin production on unrated orders may apply for permission by filing Form WPB-3898 with his nearest War Production Board office.

(c) *How a purchaser gets WPB approval to place unrated orders.* A person who wishes to place an unrated order in spite of the restrictions of the WPB order on List A may apply for War Production Board approval by filing a letter in triplicate with his nearest War Production Board field office with a list in triplicate attached giving a description of the equipment which he wishes to get including make, type, size, and approximate price. Approval of the War Production Board will be given on Form GA-1977 if it finds that no suitable existing excess equipment is available. Upon receiving War Production Board approval, the person placing the unrated order must endorse the following statement on his purchase order, signed either manually or as provided in Priorities Regulation 7: "This order approved by the War Production Board in accordance with Priorities Regulation 24." The standard form of certification contained in Priorities Regulation 7 may not be used. Approval by the War Production Board under this paragraph does not give the purchase order a rating of AA-5 under Section 944.1 (b) of Priorities Regulation 1.

(d) *Record of unrated orders.* The War Production Board may wish to find out how much business a producer of any item covered by a WPB order on List A has accepted under paragraph (c). Each producer of equipment subject to any WPB order on List A must keep unrated purchase orders placed under this regulation filed so that they can be readily segregated and examined.

(e) *Effect of other WPB orders and regulations.* (1) This regulation does not relieve anyone from complying with

the requirements of Priorities Regulation 1 with respect to the compulsory acceptance and filling of rated orders in preference to unrated orders.

(2) If an unrated order under this regulation is put into a production schedule it shall not become a part of any "frozen" schedule in spite of Priorities Regulation 18 or other War Production Board order, but shall be subject to postponement in favor of rated orders in accordance with Priorities Regulation 1.

(3) Attention is called to the fact that this regulation does not authorize any construction contrary to the provisions of Construction Order L-41.

(4) Except to the extent specifically provided in this regulation, it does not waive the restrictions or conditions of any other order or regulation of the War Production Board.

(f) *Other cases where unrated orders allowed.* Many types of machinery and equipment, including most jigs, dies, fixtures and special tooling, are not subject to a WPB order limiting or restricting the placing or filling of orders. Consequently, unrated orders for these items have always been permissible where they can be filled without interference with rated orders as provided in Priorities Regulation 1. Many types of machinery and equipment may be bought under Priorities Regulation 13 from somebody who is not in the business of selling such machinery and equipment without any preference rating or other authorization. Permission under this regulation is not required in the case of such purchases.

(g) *Ratings for equipment required for civilian production.* (1) The policy of the War Production Board is not to grant any ratings for equipment needed for resumption or expansion of civilian production where this equipment can be obtained out of existing available stocks or where unrated orders for it can be filled within a reasonable time. However, where this is not the case, and the equipment takes a long time to produce, the War Production Board will consider applications for ratings both for equipment covered by the WPB orders mentioned in List A and for other types of equipment.

(2) If you need equipment for war production or for civilian production which is currently authorized by the War Production Board during the war, you may apply for a rating in accordance with existing procedures and without regard to this regulation. However, if you want equipment for operations which are neither directly related to the war effort nor currently authorized by the War Production Board, you cannot get a rating except by applying on Form WPB-1319 to your War Production Board field office in accordance with the instructions printed at the end of this regulation. This is so whether the equipment you need is covered by the WPB orders on List A or not.

(3) If the War Production Board grants a rating under this regulation, it may be applied only for the make of equipment shown in the application Form WPB-1319. The rating may be applied

by use of the standard certification in Priorities Regulation 7 but the following statement must be added: "This rating applied pursuant to Priorities Regulation 24." Such an order may be accepted and filled in spite of any War Production Board order requiring approval on a special form.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

- E-1-b Machine tools.
- E-9 Precision measuring instruments and testing machines.
- E-11 Foundry equipment and metal melting furnaces.
- L-89 Elevators and escalators.
- L-123 General industrial equipment.
- L-193 Conveying machinery and mechanical power transmission equipment.
- L-221 Electric motors and generators.
- L-226 Printing trades machinery.
- L-250 Electric motor controllers.
- L-268 Oxy-acetylene apparatus.
- L-287 Portable conveyors.
- L-298 Resistance welding equipment.
- L-311 Logging, lumber and wood products machinery and equipment.
- L-314 Lubrication equipment.
- L-332 Container machinery.

INSTRUCTIONS FOR FILING FORM WPB-1319 (SEE PARAGRAPH (g))

Follow the general instructions appearing in the WPB-1319 instruction pamphlet except to the extent the instructions printed here conflict. The following general instructions will be added to the pamphlet as paragraph (12). When the new instructions are added to the pamphlet they will supersede the instructions printed here.

12. *Applications filed pursuant to Priorities Regulation 24.—General.* Four copies of applications under this regulation must be filed with the nearest WPB field office. You must use a single WPB-1319 for all items of equipment controlled by a single WPB order, or if the items are not controlled by a WPB order, by a single WPB division. Separate forms must be used for items controlled by separate WPB orders or by separate WPB divisions if there is no order. If you are not sure what WPB order or division controls the equipment, consult your nearest WPB office or the WPB publication "Products and Priorities." If possible, file together all applications for equipment required to produce one class of product. If you are unable to file these together, state this in item 20. If you are going to buy from several different suppliers equipment which may be included in a single application, you are not required to file separate applications for each supplier but may file one application.

The authorization on WPB-1319 limits you to the make of equipment shown but you may purchase this from any supplier. If you find that you can obtain sooner a make of equipment different than the one authorized, you may file a letter in duplicate with the War Production Board, Washington 25, D. C., identifying the case number and industry division listed in your original WPB-1319 application and requesting an amendment of the authorization.

Even if the installation of the equipment for which you are applying requires construction as defined in Order L-41, you must

nevertheless use form WPB-1319 for the equipment. Note however that approval of your WPB-1319 does not remove the necessity for any approval of construction which may be required by Order L-41.

Special Instructions. Disregard the special instructions for individual items of equipment set forth in the WPB-1319 instruction pamphlet.

Do not fill in blocks 10, 13, 14, 16, 17B, or 19.

In block 6, insert "Priorities Regulation 24" and the WPB order, if any, controlling the equipment.

In block 7, state the industry division controlling the equipment.

In block 8, check the second space (marked "to receive").

In block 18, state also any efforts you have made to get the equipment on an unrated order and why such efforts were not successful.

In block 20, state:

(a) The approximate dollar value of equipment not covered by this application which is needed to resume or increase civilian production and for which preference ratings are necessary;

(b) The approximate dollar value of necessary equipment you can obtain without the use of preference ratings whether new or from excess stocks;

(c) Why you consider this equipment vital to your resumption or increase in civilian production;

(d) Any other pertinent information.

[F. R. Doc. 44-11378; Filed, July 23, 1944; 4:59 p. m.]

PART 933—COPPER

[Supplementary Order M-9-c-4, as Amended July 31, 1944]

INSTALLATION AND SALE OF PIPE, TUBING AND BUILDING MATERIAL¹

§ 933.15 *Supplementary Conservation Order M-9-c-4—(a) Definitions.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy metal. It shall include alloy metal produced from scrap.

(3) "Copper or copper base alloy pipe or tubing" means any pipe, tube or tubing into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight).

(4) "Copper or copper base alloy building material" means any brass mill product² of the following types: Sheet,

¹This order used also to apply to certain plumbing fixture fittings and trim. The use of copper or copper base alloy in the manufacture of all items of plumbing fixture fittings and trim is prohibited or restricted by Order M-9-c and Order L-42, Schedules V and XII. The change in this order releases for use only finished items. For restrictions on the manufacture and installation of copper and copper base alloy screening, see Conservation Order M-9-c.

²Order M-9-c prohibits the manufacture of many fabricated building materials from copper products or copper base alloy products.

plate, roll, strip, rod, bar, extruded shapes and wire into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight).

NOTE: Paragraph (4) formerly paragraph (5) redesignated, July 31, 1944. Former paragraph (4) deleted July 31, 1944.

(b) Restrictions on installations of certain copper products—(1) Restrictions. Installation of certain copper and copper base alloy products is prohibited notwithstanding any contract or agreement of any person to make the installation and notwithstanding any preference rating or CMP allotment, in the following instances:

(i) The installation in place, of any copper or copper base alloy building material in or on any building or structure, or in or on any cooling tower or water tower.

(ii) The installation in place, for plumbing, heating or cooking purposes, of any copper or copper base alloy pipe or tubing, in any building or structure.

(iii) The installation in place, whether inside or outside of a building, of any copper or copper base alloy pipe or tubing in any water supply or water distribution system, in any water sprinkling system, in any underground gas supply or gas distribution system, or in or on any cooling tower or water tower.

(2) Exceptions. Notwithstanding the prohibitions against installation of paragraph (b) (1):

(i) Copper or copper base alloy building material may be installed in place when necessary to replace in or on a building, structure or system, like worn out items of copper or copper base alloy building material.

(ii) Copper or copper base alloy pipe or tubing in the possession of the person owning a building, structure or system, or in the inventory of a plumber, jobber, distributor, or warehouse other than a brass mill warehouse (which is authorized to replace deliveries from stock under the provisions of letter BM-36 (WPBI-505-Brass Mill warehouse replacement orders) of July 23, 1943), (a) may be installed in place when necessary to replace in, or on such building, structure or system, like worn out items of copper or copper base alloy pipe or tubing; and (b) may be installed in place when necessary to connect a new water heater which is being installed to replace a water heater worn out and damaged beyond repair, provided that copper or copper base alloy pipe or tubing was similarly used in the installation which is being replaced.

(iii) Copper or copper base alloy pipe and tubing which were, on January 1, 1944, in the inventory of a plumber, may be connected by the plumber in whose inventory the material was on that date,

to a water supply or water distribution system or to any underground gas supply or gas distribution system, if the pipe or tubing are to be used both underground and outside of a building; and copper or copper base alloy pipe and tubing which were, on January 1, 1944, in the inventory of a water or gas utility may be connected by a utility to a water supply or water distribution system or to any underground gas supply or gas distribution system, if the pipe or tubing are to be used both underground and outside of a building.

(iv) Copper or copper base alloy tubing may be installed in place in a heat exchanger for a cooling tower.

(v) Copper or copper base alloy building material pipe and tubing purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration may be installed in place: Provided, however, That nothing in this order shall supersede any applicable instructions to any officers of the foregoing, including without limitation the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy, or the List of Prohibited Items for Construction Work dated April 1, 1942, issued by the Army and Navy Munitions Board, as amended from time to time.

(vi) Copper or copper base alloy building material, pipe and tubing may be installed in place, upon the written authorization of the War Production Board, authorizing the specific installation. Applications for such authorization may be made by letter setting forth the reasons why the person applying believes such material should be installed in or connected to a structure or system. If the applicant is applying for authorization to begin construction on Form WPB-617, he may apply for authorization under this order on that Form or in a supplemental letter attached thereto, and need not make a separate application.

(c) Restrictions on delivery. Notwithstanding any contract or agreement to the contrary or the receipt of any CMP order or a preference rating, no person shall deliver, sell or otherwise dispose of any copper or copper base alloy building material, pipe or tubing, if it is to be used for a purpose prohibited by this order; and no person shall accept delivery or a transfer of, or purchase, such building material, pipe or tubing unless the person making the delivery, sale or other disposition was permitted to do so. The foregoing shall not prevent:

(1) Delivery, sale or disposal to, or acceptance of delivery or transfer by or

purchase by, a brass mill or a person regularly engaged in the business of selling copper or copper base alloy scrap.

(2) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by Defense Supplies Corporation, Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Act as amended (except Defense Plant Corporation) or any person acting as agent for any such corporation (except Defense Plant Corporation).

(3) Delivery, sale or disposal to, or acceptance of delivery or of transfer by or purchase by, any person upon the written authorization of the War Production Board permitting the specific delivery sale or disposal. Applications for authorization may be made by the person seeking to make delivery, sale or disposal, by letter setting forth the reasons why the person believes such material should be delivered, sold or otherwise disposed of.

(d) Restrictions on sale and use of nails, tacks, screws, nuts, bolts, rivets, washers, and expansion shields. (1) No manufacturer, warehouse, store or outlet, other than a retail store or retail outlet, shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA-5 or higher.

(2) No retail store or retail outlet shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA-5 or higher. However, each store or outlet may sell such products to fill unrated orders or orders rated lower than AA-5 provided that the total sales of such products after December 31, 1943, to fill unrated orders or rated lower than AA-5, does not exceed \$25 in amount.

(3) No person engaged in the business of building or repairing a building, structure, cooling tower or water tower, and no corporation or other organization, shall install in place, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers, or expansion shields in a building, structure, cooling tower or water tower.

(4) The foregoing restrictions of this paragraph (d) are not applicable if the items have been placed in packages with builders' finished hardware items, such as locks and hinges, prior to June 24, 1943, for the purpose of attaching or installing the hardware, nor to iron or steel items which are plated or washed with copper.

(5) Application for specific authorization under this paragraph (d) shall be made by letter setting forth the reasons why the person applying believes the nails, tacks, screws, nuts, bolts, rivets, washers and expansion shields should be installed, or be sold or delivered to fill unrated orders or orders rated lower than AA-5.

(e) *Communications to the War Production Board.* All requests for authorization and communications referring to this order, shall unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C. Reference: M-9-c-4.

(f) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11418; Filed, July 31, 1944;
11:08 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-341]

COMMERCIAL TYPE ELECTRIC MOTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of electric motors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.140 *Limitation Order L-341—*

(a) *Purpose and scope.* This order applies only to the following kinds of new electric motors (not including electric generators, but including such motors furnished in motor-generator sets):

(1) Fractional horsepower AC motors of all sizes and types, including universal (AC-DC) motors, except specially designed airborne and shock proof shipboard types; and

(2) Single phase AC motors in sizes one to five horsepower, inclusive, except specially designed airborne and shock proof shipboard types.

Motors of the kinds described above are referred to in this order as "commercial motors". Persons who wish to get more than certain quantities of commercial motors in any calendar quarter from all sources for any purpose except resale as such, must file an application with the War Production Board. Unless the Board takes some action upon the application by notice in writing to the applicant, he may continue to receive all motors which he has ordered and may continue to place his orders in advance, to the extent permitted by other orders and regulations of the Board.

This order also requires commercial motors obtained with ratings assigned on Form WPB-547 to be distributed after August 15, 1944 only for replacement purposes or for use by farmers.

(Additional rules concerning deliveries and receipts of these and other types and sizes of motors are contained in Limitation Order L-123 relating to fractional motors, Limitation Order L-221 relating to integral motors, and General Scheduling Order M-293).

(b) *Applications required for receipt of over 450 fractionals or 75 integrals per quarter.* Every person who has ordered or hereafter orders, for delivery from all of his suppliers during any one calendar quarter, a total of more than four hundred and fifty (450) fractional horsepower AC motors, or more than seventy-five (75) single phase AC motors in sizes one to five horsepower, must file application with the War Production Board if such motors are to be used for any one or more of the following purposes:

(1) For his own installation and use; or

(2) For incorporation into other products which he makes; or

(3) For sale as a driving unit or accessory for other products which he makes or purchases (even though the motors are not actually incorporated into such other products by him). A person who receives motors for this purpose, and also for distribution separately as such, need not file the application for those which he will distribute separately. If he is unable to know what number he will distribute separately, he must assume that the number he will sell as a driving unit or accessory will be equal to the number of items of such other products which he has ordered for delivery to him without motors, or plans to produce, during the same period. (If he has ordered less motors than the number of items of such other products which he will receive without motors or make during the same period, he must consider the entire quantity of motors as being ordered for sale as a driving unit or accessory.)

Use Form WPB-3825. Application must be made by the purchaser on Form WPB-3825, prepared in accordance with the instructions for that form. The applications must be filed on or before the 10th day of September, 1944, the 10th day of December, 1944, and so on quarterly. Each application must show all unfilled orders (whether previously reported or not).

Application required in addition to ratings. Any person who now or at any future time has outstanding unfilled orders for such motors for delivery during any immediate or future calendar quarter in quantities in excess of those stated above, is forbidden to receive any of them after September 10, 1944, even though he has a preference rating for them or has been authorized to receive them under some other order, regulation or certificate of the War Production Board, if he does not file the application on or before the dates indicated. However, if he reduces, postpones or cancels his orders to the extent necessary to

bring all of his requested deliveries during each calendar quarter within the quantities specified above, and does not receive deliveries from his suppliers in excess of those quantities, he need not file the application.

This order applies also to intra-company receipts. The application must be filed to permit receipts by one department (a branch, division, or section) of a single organization from another department of the same organization when the motors are to be used by the department receiving them for any of the three purposes stated above, if that department's receipts in any quarter are to exceed the quantities indicated.

If requirements increase after filing dates. If any person who has not requested delivery of more than the quantities stated above during any calendar quarter, at the time required for filing, should after that time increase the quantities requested in any quarter to an amount in excess of that stated above, he must file the application immediately and may not receive delivery of any of the increased amount until at least fifteen days after he has filed.

Restrictions on suppliers. If any motor supplier knows or has reason to believe that any customer of his who should file an application under this order has not done so, he may not make any deliveries of such motors to such purchaser. If he knows or has reason to believe that a customer of his has been directed by the War Production Board to reduce, postpone or cancel his orders, by a direction issued pursuant to (d) below, and that the customer has not done so, he may not deliver commercial motors to the customer in excess of the quantities authorized by the direction. The War Production Board will notify the supplier when such a direction is issued to a customer of his.

Persons who supply motors, as such, do not file. This order does not apply to receipts of motors by a distributor or other supplier of motors which are intended to be and are resold as such by him (and are not to be utilized by him for any of the purposes stated in (1), (2), or (3) above). It does apply, however, to any person who receives motors from a motor supplier for any of the purposes stated.

(c) *Receipt of motors by a purchaser who has filed the application.* Unless otherwise notified by the War Production Board by action on his application, a purchaser who has filed his application may receive motors during the calendar quarter following his application, and may place orders or leave in effect orders previously placed for delivery of motors in future quarters, subject to any other applicable order, regulation or certificate of the War Production Board.

(d) *Individual directions.* The War Production Board may issue directions to any such purchaser requiring him to reduce, postpone or cancel his unfilled orders for delivery of such motors when it finds (1) that the deliveries which he has requested appear to be in excess of the minimum practicable amounts required to fulfill his authorized production schedules or in excess of the prac-

licable minimum working inventory reasonably necessary to meet deliveries of the products which he produces or distributes, or (2) that some adjustment in receipts is necessary in order to distribute the available production of such motors equitably between him and other purchasers or assure the fulfillment of War Production Board programs.

If it is found that the aggregate of shipments requested are continuing in excess of the aggregate production, it will be the policy of the Board to require reductions in receipts of such motors to such extent as may be necessary to bring requested shipments and production in balance. As the motors covered by this order are more or less standardized types, the factors referred to in Interpretation 7 of Priorities Regulation 1 (Minimum Sale Quantities and Production Runs) will normally not be considered as justifying receipts in excess of the purchaser's minimum requirements.

(e) *Commercial motors distributed by WPB-547 ratings to be sold and used only for replacement purposes or for use by a farmer.* (1) Any distributor who gets, or has gotten, any commercial motors with ratings assigned on Form WPB-547 (formerly PD-1X) must not deliver any of them after August 15, 1944 unless he has marked each one, before delivering it, with a stamp or durable tag firmly attached to it and containing substantially the following statement in easily readable lettering:

This motor allocated by WPB and to be sold and used only as a replacement, or for use by a farmer. See WPB Order L-341.

After August 15, 1944 no distributor may deliver any commercial motors obtained with a WPB-547 rating if he knows or has reason to believe that the motors will be resold or used for any purpose except for replacement purposes, or for use by a farmer.

"Farmer" has the same meaning in this order as in Priorities Regulation 19. (For the rules as to deliveries of fractional horsepower commercial motors to farmers, see Priorities Regulation 19 and Order L-123; as to integral horsepower commercial motors, see Order L-221).

(2) Any dealer, repair shop, ultimate consumer or other person who receives a commercial motor identified with the marking required under (e) (1) above, or which he knows or has reason to believe should be so marked, must not knowingly deliver, install or use it except to replace a worn out or defective motor, or for use by a farmer. The marking shall not be removed until the motor is installed.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any depart-

ment or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: General Industrial Equipment Division, War Production Board, Washington-25, D. C., Ref.: L-341.

NOTE: The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11415; Filed, July 31, 1944;
11:07 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-277 as
Amended July 31, 1944]

VEGETABLE TANNING MATERIALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported and domestic vegetable tanning materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.281 *General Conservation Order M-277*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all the applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Vegetable tanning materials" means the materials and extracts (including blends and combinations thereof) on the following list:

Domestic raw materials and extracts

California oak bark
Chestnut oak bark
Chestnut wood
Hemlock bark
Sumac

Foreign raw materials and extracts

Algarobilla (pods)
Divi-divi (pods)
Gambler
Hemlock bark
Mangrove bark
Myrobalans (nuts)
Quebracho wood
Sumac
Tara pods
Tara powder
Urunday
Valonia beads and cups
Wattle or mimosa bark

(3) "Processor" means any person who consumed during 1942, or who hereafter consumes, more than 500 tan units of chestnut extract or more than 2,500 tan units of all vegetable tanning materials during any one calendar month for the production of leather, furs, pharmaceuticals, crude petroleum oil or any product for treating water, or for any other purpose.

(4) "Inventory" means a processor's vegetable tanning materials within the continental United States (the 48 States and the District of Columbia), including materials in customs bond destined for use in the continental United States, except:

(i) Tan yard liquors.

(ii) Domestic wood, bark or other extract producing raw materials not yet delivered to the purchaser thereof.

(5) "Tan unit" means one pound of 100% tannin as determined by the analytical methods of the American Leather Chemists Association.

(6) "Tan yard liquor" means an aqueous infusion of vegetable tanning materials currently being used in contact with hides and skins to produce leather.

(7) "Supplier" means any person who produces vegetable tanning materials and any person (including a dealer but excluding governmental corporations) who purchases such materials for resale, with or without alteration or blending.

(c) *Non-applicability of inventory restrictions in other regulations and orders.* No person shall be subject to any inventory restrictions contained in any other regulation or order of the War Production Board in making or accepting deliveries of vegetable tanning materials: *Provided, however,* That no processor shall sell or deliver any part of his present or future inventory of any vegetable tanning material except as provided in Priorities Regulation No. 13.

(d) *Restrictions on the use of tanning materials.* Except as specifically permitted by the War Production Board in writing, (1) No processor shall use any vegetable tanning material for any purpose other than the following:

(i) The processing of leather.

(ii) The manufacture of pharmaceutical products.

(iii) The manufacture of tannic, gallic and pyrogalllic acid.

(iv) The manufacture of water treatment materials (not containing chestnut extract).

(v) The drilling of wells by the petroleum industry (using only quebracho or urunday extract).

(2) [Deleted Nov. 25, 1943]

(e) Restrictions on deliveries of chestnut extract. (1) [Deleted July 31, 1944.]

(2) No supplier, except as may be authorized by the War Production Board, shall sell or make any delivery of chestnut extract (i) to any processor (ii) to another supplier, or (iii) to his own tannery or processing or blending plant. Application for such authorization shall be made by the supplier on Form WPB-3356 on or before the 15th day of the month preceding that during which he wishes to make delivery. Processors who desire to obtain chestnut extract should submit their purchase orders to their suppliers on or before the fifth day of the month preceding that during which delivery is desired.

(3) In authorizing deliveries to processors, the War Production Board will be guided by:

(i) The purpose for which the chestnut extract is to be used;

(ii) The quantities of hides and skins available to such processors, if such processors are tanners;

(iii) Current inventories of chestnut extract.

(4) In authorizing deliveries to suppliers, the War Production Board will be guided by:

(i) The purpose for which the chestnut extract is to be used;

(ii) Past purchases of chestnut extract by a given supplier relative to the total production of chestnut extract during the same period.

(5) Conditions relating to the use of chestnut extract may be made a part of any allocation.

(f) Restrictions on use of chestnut extract in blends and sale thereof. No supplier shall increase the proportion of chestnut extract in any blend for resale over the proportion used for such purposes during the calendar year 1942.

(g) Equitable distribution. In making sales or deliveries of any vegetable tanning material, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and credit requirements, or between customers' and his own consumption of said materials.

(h) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) Communications to the War Production Board. All reports required to be filed hereunder, and all communica-

tions concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-277.

(j) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A [Deleted Nov. 25, 1943]

[F. R. Doc. 44-11420; Filed, July 31, 1944;
11:03 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-53, as Amended
July 31, 1944]

PRINTING INK

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of printing ink for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3293.86 Conservation Order M-53—

(a) Definitions (1) "Producer" means any person engaged in the manufacture of printing inks for sale to others or for his own consumption, but does not include the Government Printing Office or the Bureau of Engraving and Printing of the United States.

(2) "Printing ink" includes any fluid or viscous material or composition of materials used in printing, impressing, stamping or transferring upon paper or paper-like substances, wood, fabrics or metals by the recognized mechanical reproductive processes employed in printing, publishing and related service industries.

(3) "News ink" means any black ink made from mineral oil and carbon black, with or without rosin, used in the production of newspapers and newspaper comic supplements. The term shall not include ink used in the production of daily or weekly newspaper magazine supplements.

(4) "Non-scratch ink" means an ink containing resins for the purpose of increasing hardness and reducing abrasion.

(b) Restrictions on use. In the manufacture of printing ink, no producer shall:

(1) Use a toner of any form in news ink.

(2) Use any alkali blue or other organic toner as a toner for black ink in excess of eight percent (8%), by weight, of such black ink where such alkali blue or other organic toner is in paste form or, where in the form of dry color, then in excess of four percent (4%), by weight, of such black ink.

(3) Use any glycerol phthalate resins for the production of any gloss ink, non-scratch ink or gloss overprint varnish: *Provided, however,* That nothing contained in this paragraph (b) (3) shall restrict the use of varnishes containing such resins in the inventories of ink producers, printers, or manufacturers of varnishes for the printing ink industry, where such varnishes were manufactured prior to March 30, 1942, for use in the manufacture of printing ink.

(c) Prohibitions against sales or deliveries of materials. No person shall hereafter sell or deliver any of the materials named in paragraph (b) hereof to any other person if he knows or has reason to believe such material is to be used in violation of the terms of this order.

(d) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) Appeals. Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, with the appropriate field office of the War Production Board. The appeal should refer to the particular provisions appealed from and state fully the grounds of the appeal.

(3) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) Communications. Except as provided in paragraph (d) (2), all communications concerning this order shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-53.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11419; Filed, July 31, 1944;
11:03 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4501—COMMUNICATIONS

[Utilities Order U-3, Direction 1]

The following direction is issued pursuant to Utilities Order U-3:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application form WPB-2774, to authorizations issued to operators on form WPB-2774 before the revised application form came into use.

(b) *Provisions applicable to certain WPB-2774 authorizations.* Except as noted in paragraph (c) below, the following special provisions are hereby made applicable to all WPB-2774 authorizations issued to telephone operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction, installation or purchase authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1) above, except for purchase of:

(i) Carbon steel for jobs for which more than 100 tons of carbon steel have been allotted for all quarters;

(ii) Copper wire and cable for jobs for which more than 25,000 pounds of copper wire and cable have been allotted for all quarters.

Where specific allotments of these two materials have been made in quantities which exceed the quantities indicated, these specific allotments remain in force, subject to the provisions of CMP Regulation 6 and the authorization under which the allotment was made.

(3) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments other than those which remain in force under paragraph (b) (2) above.

(4) The applicant is hereby authorized to use the preference rating assigned in his approved application for the purchase of quantities of equipment and materials

(other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above.

(5) The abbreviated allotment number and preference rating authorized herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(6) The abbreviated allotment number and preference rating authorized herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction, installation, or purchase authorized.

(7) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U-2 for identification purposes.

(c) *Cases to which paragraph (b) does not apply.* The provisions of paragraph (b) above do not apply to authorizations which were revoked or on which all authorized work was completed prior to the effective date of this direction. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB-2774 application.

(d) *Section headings on WPB-2774.* References herein to "section III" and "section V" of form WPB-2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB-2774 prior to that of February 21, 1944.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11416; Filed, July 31, 1944;
11:07 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U-4, Direction 1]

The following direction is issued pursuant to Utilities Order U-4:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application form WPB-2774, to authorizations issued to operators on form WPB-2774 before the revised application form came into use.

(b) *Provisions applicable to certain WPB-2774 authorizations.* Except as noted in paragraph (c) below, the following special provisions are hereby made applicable to all WPB-2774 authorizations issued to telephone operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction, installation or purchase authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1) above, except for purchase of:

(i) Carbon steel for jobs for which more than 100 tons of carbon steel have been allotted for all quarters;

(ii) Copper wire and cable for jobs for which more than 25,000 pounds of copper wire and cable have been allotted for all quarters.

Where specific allotments of these two materials have been made in quantities which exceed the quantities indicated, these specific allotments remain in force, subject to the provisions of CMP Regulation 6 and the authorization under which the allotment was made.

(3) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments other than those which remain in force under paragraph (b) (2) above.

(4) The applicant is hereby authorized to use the preference rating assigned in his approved application for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above.

(5) The abbreviated allotment number and preference rating authorized herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(6) The abbreviated allotment number and preference rating authorized herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction, installation or purchase authorized.

(7) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U-2 for identification purposes.

(c) *Cases to which paragraph (b) does not apply.* The provisions of paragraph (b) above

do not apply to authorizations which were revoked or on which all authorized work was completed prior to the effective date of this direction. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB-2774 application.

(d) *Section headings on WPB-2774.* Reference herein to "section III" and "section V" of form WPB-2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB-2774 prior to that of February 21, 1944.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11417; Filed, July 31, 1944;
11:07 a. m.]

Chapter XI—Office of Price Administration

PART 1361—FARM EQUIPMENT

[MPR 133,¹ Incl. Admts. 1-9]

RETAIL PRICES FOR FARM EQUIPMENT

This compilation of Maximum Price Regulation 133 includes Amendment 9, effective August 2, 1944. The text added or amended by Amendment 9 is underscored.

In the judgment of the Price Administrator retail prices of farm equipment have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of farm equipment prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted² with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.²

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing ef-

fective price control with respect to the commodities subject to this regulation.

[Preamble amended by Supplementary Order 70, 8 F.R. 12556, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,³ issued by the Office of Price Administration, Maximum Price Regulation No. 133 is hereby issued.

Sec.

- 1361.1 Prohibition against sales at higher than maximum prices.
- 1361.2 Less than maximum prices.
- 1361.3 Maximum prices; new equipment.
- 1361.3a Maximum prices for used equipment.
- 1361.4 Evasion.
- 1361.5 Itemized invoices; new equipment.
- 1361.6 Records and reports.
- 1361.7 Enforcement.
- 1361.7a Licensing.
- 1361.8 Petitions for amendment.
- 1361.9 Definitions.
- 1361.10 Effective date.
- 1361.10a Effective dates of amendments.
- 1361.11 Appendix A: Form of guarantee to be furnished buyer of reconditioned and guaranteed equipment.

AUTHORITY: § 1361.1 to § 1361.11, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 568; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1361.1 *Prohibition against sales at higher than maximum prices.* (a) On and after May 11, 1942, regardless of any contract, agreement, lease or other obligation:

(1) No person shall sell, deliver or negotiate the sale of any farm equipment at a price higher than the maximum fixed by this regulation;

(2) No person in the course of trade or business shall buy or receive any farm equipment at a price higher than the maximum fixed by this regulation; and

(3) No person shall agree, offer, solicit or attempt to do any of the foregoing.

[Paragraph (a) amended by Am. 3, 8 F.R. 234, effective 1-9-43 and Am. 6, 8 F.R. 12033, effective 9-6-43]

(b) There may be added to the maximum prices established by this Maximum Price Regulation No. 133 the amount of any state or local sales, use, or gross receipts tax required or permitted to be paid by the purchaser: *Provided*, That the amount of such tax is stated separately on the invoice or sales check given to the purchaser.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any inter-

pretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1361.2 *Less than maximum prices.* Lower prices than those established in this Maximum Price Regulation No. 133 may be charged, demanded, paid or offered.

[§ 1361.2 amended by Am. 3, effective 1-9-43]

§ 1361.3 *Maximum prices; new equipment.*—(a) *New complete equipment with suggested retail prices.* The maximum price applicable to the sale by any retail dealer of any new complete farm equipment for which the manufacturer has issued a suggested retail price shall be the sum of the following:

[Paragraph (a) amended by Am. 3, effective 1-9-43]

(1) The suggested retail price f. o. b. factory.

(2) Actual transportation costs paid by the dealer for shipment of the item of farm equipment from the factory to the dealer, less any allowances or rebates on transportation costs received by the dealer.

[Subparagraph (2) amended by Am. 3, effective 1-9-43 and Am. 5, 8 F.R. 10503, effective 7-31-43]

(3) The manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for freight.

[Subparagraph (3) amended by Am. 3, effective 1-9-43]

(4) An allowance for dealer's handling not to exceed the sum of the following:

(i) 5% of the manufacturer's suggested retail price f. o. b. factory up to \$400, plus 2% of the amount by which the suggested retail price exceeds \$400;

(ii) For each truck trip required for delivery to a purchaser located more than thirty road miles from the dealer, ten cents for each mile going and coming outside the thirty mile zone, on the basis of the most direct route:

Provided, That a reduction equivalent to the dealer's cost of the service shall be made in the maximum allowance for dealer's handling if any of the following services is not performed: (a) Erection of equipment; (b) Installation of all attachments; (c) Delivery of new equipment and carrying away trade-in equipment; (d) Gasoline and oil placed in equipment.

(5) A charge for special installation of fixed equipment, if such installation is required, not to exceed the charge customarily made for such installation on or before April 1, 1942: *Provided*, That such installation charge shall take the place of, and not be in addition to, the allowance for dealer's handling (subparagraph (4) of this section).

(6) The amount of any federal excise tax billed separately by the manufacturer and stated by the manufacturer not to be included in the suggested retail price.

¹ 7 F.R. 3185.

² Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

³ Revised: 9 F.R. 5701.

(b) *New parts with suggested retail prices.* The maximum price applicable to the sale by any retail dealer of any new farm equipment part for which the manufacturer has issued a suggested retail price shall be the suggested retail price plus actual transportation costs paid by the dealer for shipment of the part from the factory to the dealer, less any allowances or rebates on transportation costs received by the dealer, plus the manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for transportation, plus any extra expense in connection with the sale, such as long distance telephone calls, incurred at the request of the purchaser.

[Paragraph (b) amended by Am. 3, 8 F.R. 234, effective 1-9-43 and Am. 5, 8 F.R. 10503, effective 7-31-43]

(c) *New complete equipment and parts without suggested retail prices—(1) Applicability of this paragraph.* This paragraph is applicable to any new complete farm equipment or part for which the manufacturer has not issued a suggested retail price.

(2) *Where the dealer dealt in the item on April 1, 1942—(i) Where the cost to the dealer has not increased.* The maximum price shall be the highest price at which the dealer sold or offered to sell the item on April 1, 1942.

(ii) *Where the cost to the dealer has increased.* If when the dealer established the price he was charging on April 1, 1942, his cost was lower than it now is, the maximum price shall be determined as follows: The dealer shall multiply the highest price at which he sold or offered to sell the item on April 1, 1942, by a certain percentage. This percentage shall be determined by dividing his present cost of the item (not to exceed the applicable maximum price) by the price he was paying for the item on the date on which he established his April 1, 1942, selling price.

(3) *Where the item was not dealt in on April 1, 1942.* If the dealer did not sell or offer to sell the item on April 1, 1942, its maximum price shall be determined as follows: The maximum price shall be the net cost of the item to the dealer plus a certain percentage of that price. The percentage markup used shall be the first of the following percentages that the dealer can determine:

(i) The percentage markup over net invoiced cost that the dealer realized on his last sale of the item before April 1, 1942.

(ii) The percentage markup over net invoiced cost that the dealer realized on his last sale of the most comparable item during the period January 1, 1941, to April 1, 1942, inclusive.

(iii) The average percentage markup over net invoiced cost that the dealer realized on sales of all farm equipment and parts during March, 1942.

[Paragraph (c) amended by Am. 1, 7 F.R. 6936, effective 9-5-42, Am. 3, 8 F.R. 234, effective 1-9-43 and Am. 6, 8 F.R. 12093, effective 9-6-43]

(d) *Sales by manufacturers.* Notwithstanding any other provisions of

this Maximum Price Regulation No. 133, for any item of farm equipment which the manufacturer thereof sells exclusively at retail, his maximum price shall be determined pursuant to Maximum Price Regulation No. 246—Manufacturers' and Wholesale Prices for Farm Equipment; 'for any item of farm equipment which the manufacturer sells both to distributors and dealers and at retail but for which he has not issued a suggested retail price, his maximum price for all sales of the item shall be determined pursuant to Maximum Price Regulation No. 246; for any item which the manufacturer sells both to distributors and dealers and at retail, and for which he has issued a suggested retail price, his maximum price for sales at retail shall be determined pursuant to this Maximum Price Regulation No. 133.

[Paragraph (d) amended by Am. 3, 8 F.R. 234, effective 1-9-43]

(e) [Revoked.]

[Paragraph (e) revoked by Am. 3, effective 1-9-43]

§ 1361.3a *Maximum prices for used equipment—(a) Applicability of this section.* This section is applicable to sales by all persons of the following items of used farm equipment:

- (1) Combines.
- (2) Corn blenders.
- (3) Corn pickers.
- (4) Farm and garden tractors (except track-type tractors for which maximum prices are established by Maximum Price Regulation 136, as amended).
- (5) Hay balers (motor or tractor operated).
- (6) Hay loaders.
- (7) Manure spreaders.
- (8) Side delivery rakes.
- (9) Tractor mounted mowers, including semi-mounted (power take-off driven) mowers.
- (10) A combination of any of the items just listed with other items of farm equipment specifically designed for mounting thereon, where the combination is sold as a unit.

This section is also applicable to the sale of any complete item of farm equipment which has been purchased or acquired by the seller for resale. This regulation is not applicable to sales of used farm equipment parts.

[Paragraph (a) amended by Am. 9, effective 8-2-44.]

(b) *Maximum prices for sales by farmers, auctioneers, etc.* The maximum price for the sale of any item listed in subparagraphs (1) to (9), inclusive, of this paragraph (a), which has been purchased or acquired by the seller for his own use and not for resale, shall be determined as follows: If the item is sold within one year after sale new, the maximum price shall be 85% of the "base

*7 F.R. 8587, 9039, 8948; 8 F.R. 236, 544, 6045, 6425, 7767, 9623, 9997, 11435.

price". In any other case, the maximum price shall be 70% of the "base price". In the case of a combination sale referred to in paragraph (a) (10), the maximum price for the combination shall be equal to the sum of the maximum prices of each of the items of farm equipment sold as a part of the combination. These maximum prices shall be determined in the manner just set forth.

[Above paragraph amended by Am. 9, effective 8-2-44.]

(1) *Base price.* The "base price" which must be used in determining maximum prices shall be the first of the following which is available:

(i) The manufacturer's current suggested retail price for the item.

(ii) The last suggested retail price for the item that the manufacturer issued.

(iii) If the item never had a suggested retail price, the base price is the maximum price for which the same or nearest equivalent item would be sold new in the locality, minus carload freight from the plant of the manufacturer of the item.

(c) *Maximum prices for sales of items which were purchased or acquired by the seller for resale—(1) Maximum prices.* This paragraph is applicable to the sale of all used complete items of farm equipment which have been purchased or acquired by the seller for resale. However, this paragraph is not applicable to the sale by a service dealer to a user of any complete items of farm equipment that have been reconditioned and guaranteed by the service dealer in the manner set forth in the next paragraph (d). Except as limited in the next subparagraph (2), the maximum price for any item covered by this paragraph shall be the sum of the following:

[Headnote and subparagraph (1) amended by Am. 9, effective 8-2-44.]

(i) The trade-in allowance granted or purchase price paid by the seller, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company.

(ii) \$15.00 or 5% of (i), whichever is the greater.

(iii) The maximum price established by the regulation for such parts as are needed and used in repairing the item.

(iv) A charge for other materials and for labor needed and used in repairing the item, not to exceed maximum prices determined in accordance with the applicable regulation issued by the Office of Price Administration.

(2) *Limit beyond which maximum prices may not go.* In no event shall the maximum price determined under this paragraph (c) for any item listed in subparagraphs (1) to (10), inclusive, of paragraph (a), exceed 85% of the base price, if the item is sold within one year after the sale new, or 70% of the base price in any other case, plus the addition for transportation costs permitted

by (3) below. The base price shall be determined in accordance with paragraph (b) (1).

[Subparagraph (2) amended by Am. 8, 9 F.R. 796, effective 1-26-44 and Am. 9, effective 8-2-44]

(3) *Transportation costs.* Where the dealer transports the used item more than 100 miles from the place where he purchased it, he may add transportation costs to the maximum price determined under (1) and (2) above. These transportation costs shall be equal to the cost actually incurred by the dealer in transporting the used item from the place of purchase.

[Subparagraph (3) added by Am. 8, 9 F.R. 796, effective 1-26-44]

(d) *Maximum prices for sales by service dealers of reconditioned and guaranteed items—(1) Applicability of this paragraph.* This paragraph is applicable to the sale of reconditioned and guaranteed complete items of farm equipment by service dealers to users. In order to be considered "reconditioned and guaranteed" all parts of the item which should be replaced, repaired, adjusted, or aligned for satisfactory operation must be replaced, repaired, adjusted, or aligned. Also, the dealer must furnish the purchaser with a signed guarantee in the form set forth in Appendix A (§ 1361.11), containing the information called for in that form.

[Subparagraph (1) amended by Am. 9, effective 8-2-44]

(2) *Maximum prices.* Except as limited by subparagraph (3), the maximum price for the sale by any service dealer of any reconditioned and guaranteed complete item of farm equipment shall be the sum of the following:

(i) The trade-in allowance granted or purchase price paid by the dealer, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company.

(ii) \$15 or 25% of (i), whichever is the greater.

(iii) The maximum price established by this regulation for such parts as are needed and used in reconditioning the item.

(iv) A charge for other materials and for labor needed and used in reconditioning, not to exceed maximum prices determined in accordance with the applicable regulation issued by the Office of Price Administration.

(3) *Limit beyond which maximum price may not go.* In no event shall the maximum price determined under this paragraph (d) for any item listed in subparagraphs (1) to (10), inclusive, of paragraph (a), exceed 95% of the base price, plus the addition for transportation costs permitted by (4) below. The base price shall be determined in accordance with paragraph (b) (1).

[Subparagraph (3) amended by Am. 8, 9 F.R. 796, effective 1-26-44 and Am. 9, effective 8-2-44]

(4) *Transportation costs.* Where the dealer transports the used item more than 100 miles from the place where he purchased it, he may add transportation

costs to the maximum price determined under (2) and (3) above. These transportation costs shall be equal to the cost actually incurred by the dealer in transporting the used item from the place of purchase.

[Subparagraph (4) added by Am. 8, 9 F.R. 796, effective 1-26-44]

(e) *Prohibition against joint sales of used farm equipment and other items.* Except as provided in paragraph (a)

(10) of this section, each item of used farm equipment listed in subparagraphs (1) to (9), inclusive, of paragraph (a) of this section shall be sold separately; and

[Above paragraph amended by Am. 9, effective 8-2-44]

(1) No retail dealer, service dealer, auctioneer, or any other person shall sell or negotiate the sale of any item of used farm equipment listed in subparagraphs (1) to (10), inclusive, of paragraph (a) of this section jointly with any commodity, property or service; and

[Subparagraph (1) amended by Am. 9, effective 8-2-44]

(2) No retail dealer, service dealer, auctioneer, or any other person shall sell or negotiate the sale of any commodity, property or service with the understanding that such purchase carries either an option to purchase or a gift of an item of farm equipment listed in subparagraphs (1) to (10), inclusive, of paragraph (a) of this section.

[Subparagraph (2) amended by Am. 9, effective 8-2-44]

[§ 1361.3a added by Am. 3, 8 F.R. 234, effective 1-9-43 and amended by Am. 4, 8 F.R. 2289, effective 2-26-43 and Am. 6, 8 F.R. 12033, effective 9-6-43]

§ 1361.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 133, shall not be evaded directly or indirectly by way of any commission; by way of excessive charges for services; by way of any change in discounts applicable to sales of items of farm equipment for which the manufacturer has issued no suggested retail price; by any change in credit terms or conditions of sale; by reducing the services provided during warranty period in accordance with factory policy; by reducing "free" services customarily provided; by removing any standard auxiliary equipment or in any other way lowering the quality of any equipment sold; by requiring the buyer to purchase any optional equipment, or to pay for any services not desired, or to agree to trade-in used equipment in part payment of the purchase price; by making arrangements with other dealers for the exchange of used equipment so as to increase the profits obtainable from the resale of used equipment; by undervaluing goods other than farm equipment received in trade; or by any other hidden or indirect price increases.

[§ 1361.4 amended by Am. 3, 8 F.R. 234, effective 1-9-43 and Am. 7, 8 F.R. 13176, effective 10-1-43]

§ 1361.5 *Itemized invoices; new equipment.* (a) In connection with every

sale for \$15 or more of any item of new complete farm equipment having a suggested retail price, every retail dealer shall supply to the purchaser a sales invoice or a copy of the purchase order signed by the dealer containing a separate statement of the following items:

(1) The suggested retail price.

(2) The charge for freight and manufacturer's or wholesale distributor's handling.

(3) The charge for dealer's handling, or the charge for special installation, if any.

(4) The charge for delivery beyond the thirty-mile zone, if any.

(5) The amount of excise tax, if any, billed separately to the dealer by the manufacturer.

(6) The amount of sales, use, or gross receipts tax, if any, required or permitted to be paid.

(b) Upon request from a purchaser, every retail dealer, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, the name of each commodity sold and the price received for it.

[Paragraph (a) amended and paragraph (b) added by Am. 3, effective 1-9-43]

§ 1361.6 *Records and reports.* (a) Every retail dealer shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each sale of farm equipment showing the date thereof, the make and model or part number, the total price received, and a copy of the invoice or sales check given to the customer. Whenever trade-in equipment is received in part payment of the purchase price of equipment, the dealer shall keep attached to the record of the original sale a complete record of the ensuing sales of trade-in equipment.

(b) Retail dealers shall submit such reports and shall keep such other records, in addition to or in the place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require in writing.

(c) Notwithstanding the provisions of paragraph (a) of this section, any retail dealer may, instead of keeping for inspection by the Office of Price Administration records of each sale of any item of farm equipment selling for less than \$15, keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect the price lists or other data used by the dealer in establishing his maximum prices for such items.

[Paragraph (c) added by Am. 3, effective 1-9-43]

(d) Every auctioneer shall file a notice of every public or private auction sale of used farm equipment at least six days before the sale. This notice shall be sent to the nearest District Office of the Office of Price Administration. The notice shall include the place, date and time of the sale and a copy of any announcement of the sale.

[Paragraph (d) added by Am. 6, 8 F.R. 12033, effective 9-6-43]

(e) Every person who purchases or acquires used complete items of farm equipment for the purpose of resale shall keep records of the following with respect to any such used item for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect:

(1) The acquisition cost of the used item.

(2) A description of the used item, including model number and serial number, if any, and the type, size and special attachments.

(3) The name and address of the person from whom the used item was purchased.

(4) The date the used item was purchased.

(5) The disposition made of the used item, i. e., sale, lease, etc., and the date of that disposition.

(6) Where the used item is disposed of by a sale the total price received, the charges made for parts and labor, if any, and a copy of the invoice or sales check given to the purchaser.

[Paragraph (e) added by Am. 9, effective 8-2-44]

§ 1361.7 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 133 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

[Paragraph (a) amended by Am. 2, 7 F.R. 7599, effective 9-30-42]

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 133 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1361.7a *Licensing.* The provisions of Licensing Order No. 1,⁵ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1361.7a added by Am. 2, 7 F.R. 7599, effective 9-30-42; amended by Am. 6, 8 F.R. 12093, effective 9-6-43; and Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1361.8 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation 133 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1361.8 amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42]

⁵ 8 F.R. 13240.

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1361.9 *Definitions.* (a) When used in this Maximum Price Regulation No. 133, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Retail dealer" means any person engaged in the business of selling farm equipment to users.

(3) "Farm equipment" means any equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, but does not include automobiles, trucks, general purpose tools, prefabricated farm buildings, building materials, electrical equipment (except fence controllers) sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors (except crawler tractors); garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeders; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hayloaders, stackers, balers, etc.); dairy farm equipment (milking machines, farm milk coolers, farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee-keepers' supplies; agricultural spraying equipment; barn and barnyard equipment; electric fence controllers; farm pumps and water systems; windmills; windmill generating sets; farm grain elevators, grain bins, corn cribs and silos; circular wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); buggies and farm wagons; harness and saddlery; portable galvanized irrigation pipe; wire fencing, poultry netting and barbed wire sold in lots of less than 2,500 pounds; wire bale ties sold in lots of less than 2,500 pounds; irrigation equipment, except home lawn sprinklers; logging sleds and logging wagons; and attachments and parts for all the foregoing.

[Subparagraph (3) amended by Am. 3, effective 1-9-43; Am. 6, 8 F.R. 12093, effective 9-6-43; and Am. 8, 9 F.R. 796, effective 1-2-44]

(4) "Complete farm equipment" includes any item of farm equipment which is a complete unit in itself although it may be used only in conjunction with other farm equipment.

(5) "Part" means any component part of, or attachment for, complete farm equipment.

(6) "Used farm equipment" means any farm equipment which has previously been used.

[Subparagraph (6) amended by Am. 3, effective 1-9-43]

(7) "Sale at retail" means any sale to a user.

(8) "Suggested retail price" means the price stated in the manufacturer's current list of suggested or recommended retail prices, f. o. b. factory, whether or not such list price is in the possession of the dealer. Prices issued by mail-order houses are not deemed to be "suggested retail prices"; as a result, maximum prices applicable to the sale of new equipment by mail-order houses, whether direct or through retail stores, shall be calculated in accordance with paragraph (c) of § 1361.3.

[Subparagraph (8) amended by Am. 3, effective 1-9-43 and Am. 7, effective 10-1-43]

(9) "Service dealer" means any dealer who, in addition to selling new or used farm equipment, is engaged in the business of repairing and reconditioning farm equipment.

[Subparagraph (9) added by Am. 3, effective 1-9-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1361.10 *Effective date.* This Maximum Price Regulation No. 133 (§§ 1361.1 to 1361.10, inclusive) shall become effective May 11, 1942. [Maximum Price Regulation No. 133 originally issued April 28, 1942.]

§ 1361.10a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

§ 1361.11 *Appendix A: Form of guarantee to be furnished buyer of reconditioned and guaranteed equipment.*

GUARANTEED

The seller hereby warrants that the machine or equipment described below has been thoroughly inspected and reconditioned; that all parts which should be replaced, repaired, adjusted, or aligned for satisfactory operation have been so replaced, repaired, adjusted, or aligned.

The seller guarantees that the machine or equipment described below is in good operating condition, and that it will remain so under normal use and service for a period of thirty days from the date of delivery. During this thirty-day period the seller agrees to replace and install any defective or missing parts free of charge and to correct free of charge any mechanical condition which prevents the machine or equipment from operating satisfactorily.

This guarantee does not extend to tires or tubes or to any repair or replacements made necessary by misuse, negligence, accidents, or collision.

The seller warrants that the following parts, materials, and labor were needed and actually used in reconditioning the machine or equipment since its last use. This work was started ----- 194., and was completed -----, 194..

Parts

(1) -----	\$-----
(2) -----	-----
(3) -----	-----
(4) -----	-----
(5) -----	-----
(6) -----	-----
Total -----	\$-----

Materials

(1) -----	\$-----
(2) -----	-----
(3) -----	-----
(4) -----	-----
Total -----	\$-----

Labor

----- hours @ -----
per hour: Total ----- \$-----

Total reconditioning----- \$-----

The prices shown do not exceed the undersigned's applicable maximum prices for parts, materials, and services.

Make of equipment -----
Date of delivery -----
Model or part No. -----
Total selling price \$-----

(Signed) -----

(Address) -----

[§ 1361.11 added by Am. 3, 8 F.R. 234, effective 1-9-43]

NOTE: Under the provisions of Supplementary Order No. 44 (8 F.R. 5305) Maximum Price Regulation No. 133 is adopted and affirmed to be applicable to the Territory of Hawaii.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with Federal Reports Act of 1942.

Issued this 28th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11294; Filed, July 28, 1944;
4:30 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Incl. Amdts. 1-45]

PUERTO RICO

This compilation of Revised Maximum Price Regulation 183 includes Amendment 45, effective August 2, 1944. The text amended by Amendment 45 is underscored. Added or amended tables are indicated by notes.

In the judgment of the Price Administrator the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been

filed with the Division of the Federal Register.²

§ 1418.1 *Maximum prices in the Territory of Puerto Rico.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Maximum Price Regulation 183 (Puerto Rico), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1418.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 183— PUERTO RICO

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- 26a. Maximum prices for Dominican beef sold or delivered in the Territory of Puerto Rico.
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² Statements of consideration are also issued with amendments. Copies may be obtained from the Office of Price Administration.

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23. Maximum prices for coffee sold or delivered in the Territory of Puerto Rico.
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40. Maximum prices for manufactured dairy products sold or delivered in the Territory of Puerto Rico.
41. Maximum prices for matches sold or delivered in the Territory of Puerto Rico.
42. Maximum prices for miscellaneous grocery products sold or delivered in the Territory of Puerto Rico.
43. Maximum prices for fluid milk sold or delivered in the Territory of Puerto Rico.
44. Maximum prices for onions and garlic sold or delivered in the Territory of Puerto Rico.
45. Maximum prices for packing house products sold or delivered in the Territory of Puerto Rico.
46. Maximum prices for dry sausages sold or delivered in the Territory of Puerto Rico.
47. Maximum prices for soap and cleaners.
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52. Maximum prices for charcoal sold in the Territory of Puerto Rico.
53. Maximum prices for alarm clocks sold or delivered in the Territory of Puerto Rico.
54. Maximum prices for textile products sold or delivered in the Territory of Puerto Rico.
55. Maximum retail prices for toys and games.
56. Maximum prices for imported liquors, imported and certain locally produced beer and malt.
57. Maximum prices for poultry and shell eggs.
58. Maximum prices for machetes sold or delivered in the Territory of Puerto Rico.
59. Maximum prices for galvanized barbed wire.
60. Maximum prices for galvanized steel sheets sold or delivered in the Territory of Puerto Rico.

¹ 8 F.R. 9332.

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 61. Maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material.
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 64. Maximum prices for animal feed sold or delivered in the Territory of Puerto Rico.
 65. Maximum price for cane blackstrap molasses sold or delivered in the Territory of Puerto Rico.
 66. Maximum prices for nails sold or delivered in the Territory of Puerto Rico.
 67. Maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico.
 68. Maximum prices for cast iron cooking pots fabricated in Puerto Rico.
 69. Maximum prices for composition notebooks.

ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in certain commodities at prices above the maximum.* Regardless of any contract, agreement, lease, or other obligation or of any price regulation or order heretofore issued by the Office of Price Administration, no person to whom this regulation is applicable shall sell or deliver and no person in the course of trade or business shall buy or receive in the Territory of Puerto Rico any of the commodities set forth in this regulation at a price higher than the maximum prices specified herein; and no person shall offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in this Revised Maximum Price Regulation 183 may be charged, demanded, paid or offered.

SEC. 3. *To what transactions, commodities and persons these ceilings apply—(a) What transactions are covered.* This regulation covers sales within the Territory of Puerto Rico of the commodities enumerated in the tables set forth below. The type of transaction covered whether to wholesalers, at wholesale, or at retail is specified in each table.

(b) *What products are covered.* This regulation covers the commodities listed in the tables set forth herein.

(c) *What persons are covered.* Any person who sells or in the course of trade or business buys any commodities listed in the tables set forth below is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of the foregoing.

(d) *Prices for comparable varieties.* The prices established in this regulation are intended to apply to all varieties of the commodities named and without regard to country of origin, unless the provisions with regard to such commodity limit the applicability of the prices to named brands, sizes, styles, packagings, point of origin, or other determinants of variety. Where a commodity, of a

variety different from that priced herein, bears a normal and customary trade relation to a variety of the commodity for which maximum prices have been fixed in this regulation or is similar or comparable to such variety or differs from such variety only in the matter of size or packaging, the Director of the Office of Price Administration for the Territory of Puerto Rico may prescribe a maximum price for such commodity, which price shall be in line with the markups and maximum prices fixed on the varieties of the commodity herein regulated.

[Paragraph (d) added by Am. 35, 9 F.R. 5221, effective 5-15-44]

SEC. 4. *Relation to other regulations.* The sale of commodities not otherwise governed by this Revised Maximum Price Regulation 183 shall be covered by the General Maximum Price Regulation^a and by such other maximum price regulations, price schedules and orders as are applicable to sales within the Territory of Puerto Rico. Sales for delivery in the Virgin Island of the United States of the commodities for which maximum prices are established herein shall not exceed the maximum prices in the Territory of Puerto Rico plus the transportation charges necessary to the shipment of such commodities of the Virgin Islands.

SEC. 5. *Federal, State and Territorial taxes.* (a) Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity imposed by any statute of the United States or statute or ordinance of any state, territory or subdivision thereof subsequent to such commodity becoming subject to this Revised Maximum Price Regulation 183, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(1) If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased and in such cases the seller shall not include such amount in determining the maximum price under this Revised Maximum Price Regulation 183.

(2) Also, on sales of commodities covered by this regulation to the Insular or Municipal Governments of Puerto Rico, or to the agencies or instrumentalities of either, the seller may collect, in addition to the maximum prices established herein, the 3% excise tax levied on the amount of contracts of sales to the Insular or Municipal Governments by Subsection 4 of Act 25 enacted by the Legislature of Puerto Rico and approved December 4, 1942; providing that the seller actually states and collects the amount of such tax separately from the maximum price for the particular commodities involved in the contract.

SEC. 6. *Geographical applicability.* The provisions of this Revised Maximum Price Regulation 183 shall be applicable to the Territory of Puerto Rico only.

ARTICLE II—ENFORCEMENT AND MISCELLANEOUS PROVISIONS

SEC. 7. *Evasion.* The maximum price established in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any of the commodities or by way of commission, services, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement, combination sales, or other trade understanding or otherwise.

SEC. 8. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the director of the Office of Price Administration for the Territory of Puerto Rico, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. The authorizations will by the Director be given by order.

SEC. 9. *Gross prices.* The maximum prices established herein are gross prices to which no charges shall be added for transportation, commissions, containers, storage or services in connection with any commodity, unless otherwise hereinafter provided.

SEC. 10. *Price for divisible and indivisible units.* The maximum price for a quantity of a commodity which constitutes a fractional or multiple part of the unit in terms of which a commodity is priced in this regulation, shall be proportionately computed unless hereinafter otherwise provided.

SEC. 11. *Records and reports—(a) Records to be kept.* (1) Every person making sales to wholesalers and at wholesale of the commodities which are subject to this regulation, shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and of each sale made by him. The record of purchases shall include: the date of the purchase, a clear description or identification of the commodity, the price paid for each commodity, the quantity which was purchased, and the name and address of the seller from whom such commodity was purchased. The record of sales shall include the date of the sale, a clear description or identification of the commodity, the price charged for such commodity, the quantity which was sold, and the name and address of the customer.

(2) Every person making sales at retail of the commodities which are subject to this regulation shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each purchase made by him. The record of purchases shall include: the date of the purchase, a clear description or

^a 9 F.R. 1385, 5169, 6106.

identification of the commodity, the price paid for such commodity, the quantity which was purchased, and the name and address of the seller from whom such commodity was purchased.

(b) *Notification to retailers.* (1) On and after the date any commodity becomes subject to this Revised Maximum Price Regulation 183, or the maximum price of any commodity subject to this Revised Maximum Price Regulation No. 183 is changed, every person selling any such commodity, except at retail, shall with each delivery supply the purchaser with a statement of the maximum prices for the commodity or commodities delivered as follows: "The Office of Price Administration has established fixed maximum prices for (insert name of commodity) at \$_____ on sales to wholesalers; at \$_____ on sales at wholesale; and at \$_____ on sales at retail."

(2) On and after the date any commodity becomes subject to this regulation, every person offering to sell any such commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to and understandable by the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form of "Ceiling price \$_____", or "Our ceiling \$_____", and "Our selling price \$_____".

(c) *Sales slips and receipts.* (1) Every seller at retail, of the commodities subject to this regulation, who has customarily given purchasers sales or receipts shall continue to do so. Upon request from a purchaser, every seller of such commodities regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the quantity and description of the commodity sold, and the price received for it.

Sec. 12. *Registration.* Every person selling at wholesale, and every person who owns, or hereafter becomes the owner of, any business operating an establishment selling at retail any commodity for which a maximum price is established by this regulation, shall register with the Office of Price Administration at such time and in such manner as the Director of the Office of Price Administration for the Territory of Puerto Rico may hereafter by order or amendment prescribe, on forms which will be made available by the Office of Price Administration.

Sec. 13. *Enforcement and licensing.* (a) Persons violating any provision of this Revised Maximum Price Regulation 183 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this regulation or of any

other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest office of the Office of Price Administration.

(c) The provisions of Licensing Order No. 1⁴ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Paragraph (c) amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 14. [Revoked].

[Sec. 14 revoked by Am. 1, 8 F.R. 10308, effective 7-15-43]

SEC. 15. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1⁵: *Provided, however,* That any such petition shall be filed with the Director of the Office of Price Administration for the Territory of Puerto Rico at San Juan, Puerto Rico.

SEC. 16. *Applications for adjustment.* (a) Any seller or group of sellers who finds that the maximum price of a commodity established for him under the provisions of this Revised Maximum Price Regulation 183 or any order issued thereunder is abnormally low:

(1) Because of increased cost of importation resulting from increased rail and ocean freight and increased war risk insurance; or

(2) Because of the high cost of a commodity received by the seller on or before August 1, 1942; and that this abnormality subjects him to substantial hardship, may apply for adjustment of that maximum price. In establishing substantial hardship the applicant shall produce evidence showing the loss suffered on the particular commodity as a result of the maximum prices established and the effect of such loss on his over-all operations.

(b) Any seller or group of sellers may apply for adjustment of a maximum price of a commodity established for him or them by this Revised Maximum Price Regulation 183, or any order issued thereunder, when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity, which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices for such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Sec. 17. *Definitions.* (a) When used in this regulation, except as otherwise provided herein, the term:

(1) "Sale at wholesale" means a sale of a commodity by a person who sells it to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its political subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing.

[Subparagraph (1) amended by Am. 31, 9 F.R. 3349, effective 4-17-44]

(2) "Sale at retail" means a sale or selling to an ultimate consumer.

(3) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller for shipment to the purchaser.

(4) "The direct cost to the importer" means the price which the importer paid for the commodity, less discounts allowed to the importer, plus all costs of shipment actually incurred by the importer, together with customs duties and entry fees: *Provided, That,* in computing the costs of shipment incurred by the importer, war risk insurance cost shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment; and that the costs of shipment shall not exceed the costs of a reasonably expeditious shipment, via the most efficient, readily and regular available route and means.

(5) "Importer" means any person in Puerto Rico who is a consignee of a commodity entering into the Territory of Puerto Rico from outside thereof.

(6) "Variety" means a particular brand, grade and style in a container or a particular type and size.

(7) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(8) "Packaged" means packed for sale at retail in a container of any sort, where the packaging has been done before arrival at the point of retail sale.

(9) "Bulk" refers to commodities which are not packaged.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 as amended, shall apply to the terms used herein.

ARTICLE III—TABLES OF MAXIMUM PRICES

Sec. 18. *Maximum prices for bread other than specialty bread sold or delivered in the Territory of Puerto Rico.*

(1) "Bread" means the article of food, sold in standard loaves prepared by moistening, kneading and baking meal or flour usually with the addition of yeast or leaven, such as "pan francaise" or "pan de agua" (French bread), "pan de sandwich" (sandwich bread), and "pan sobado" (baked bread (sic)).

(2) "Specialty bread" means raisin bread, cracked wheat bread or any variety of bread other than "pan fran-

⁴ 8 F.R. 13240.

⁵ 9 F.R. 5791.

TABLE 3—MAXIMUM PRICES FOR CANNED FRUITS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
<i>Royal Ann sweet cherries:</i>				
S. & W.	Case of 24 #2 1/2 cans	\$9.80	\$10.75	\$0.55
Del Monte	Case of 12 #303 glass	6.00	6.75	.60
Libby	Case of 12 #303 glass	3.30	3.80	.40
Libby	Case of 12 #2 1/2 glass	4.60	5.25	.55
<i>Royal Ann fancy cherries:</i>				
For You	Case of 24 2 1/2 can		10.80	.85
<i>Black Beauty, dark sweet cherries:</i>				
Del Monte	Case of 12 #303 glass	3.35	3.85	.40
Del Monte	Case of 12 #2 1/2 glass	5.20	5.90	.62
Libby	Case of 12 #2 1/2 glass	5.25	5.90	.62
<i>Dark sweet cherries:</i>				
Royal Ann	Case of 12 #2 1/2 glass	7.55	8.30	1.80
White Rose	Case of 6 #10 tins		5.45	.59
Superior	Case of 12 #2 1/2 glass	11.20	12.25	.65
<i>Pitted Black:</i>				
S. & W.	Case of 24 #2 1/2 cans	10.35	11.35	.61
S. & W.	Case of 24 #2 1/2 cans	9.05	11.00	.60
<i>Black Unpitted:</i>				
Premier	Case of 12 #28 oz. glass	8.65	9.70	1.05
Premier	Case of 24 #8 oz. glass	5.45	6.00	.33
<i>Cherries, Maraschino style:</i>				
Sundown	Case of 24 #5 oz. glass	4.00	4.00	.21
Astoria	Case of 12 #8 oz. glass	3.25	3.25	.35
Premier	Case of 12 #8 oz. glass	2.85		
<i>Canned peaches:</i>				
Yellow Cling (halves):				
Del Monte	Case of 24 #2 1/2 cans	0.10	0.80	.37
Exquisite	Case of 24 #2 1/2 cans	0.10	0.80	.37
Libby	Case of 24 #2 1/2 cans	6.80	6.65	.30
S. & W.	Case of 24 #2 1/2 cans	7.60	8.75	.47
Libby	Case of 24 #2 1/2 cans	6.60	6.35	.34
Pearce	Case of 24 #2 1/2 cans	4.30	4.05	.27
Libby	Case of 24 #2 cans	3.35	3.75	.40
Del Monte	Case of 12 #2 1/2 (glass)	3.00	4.10	.44
Libby	Case of 12 #2 1/2 (glass)	6.60	7.60	.14
Del Monte	Case of 72 #3 oz. cans	6.55	7.55	.14
Exquisite	Case of 72 #3 oz. cans	6.25	7.20	.13
Libby	Case of 72 #3 oz. cans	7.50	8.65	.23
Exquisite	Case of 48 #1 tall cans	7.50	7.60	.40
Superior	Case of 24 #2 1/2 cans	6.10	7.60	.35
Exquisite	Case of 24 #2 1/2 cans	6.30	6.10	.33
Cosmos	Case of 24 #2 1/2 cans	5.60	6.45	.35
Mariposa	Case of 24 #2 1/2 cans			
C H B OH	Case of 24 #2 1/2 cans	3.20	3.70	.40
<i>Yellow Cling (quartered):</i>				
Signet	Case of 24 #2 1/2 (glass)	5.85	6.75	.37
Del Monte	Case of 24 #2 1/2 cans	7.00	8.75	.47
S. & W.	Case of 24 #1 (glass)	4.00	4.60	.25
Signet	Case of 24 #2 cans	4.45	5.20	.40
Del Monte	Case of 12 #2 1/2 (glass)	3.20	3.70	.40
Del Monte	Case of 12 #303 (glass)	2.60	2.70	.40
Libby	Case of 12 #2 1/2 (glass)	2.40	2.75	.40
Del Monte	Case of 12 #2 1/2 (glass)	7.00	8.80	.47
S. & W.	Case of 24 #2 1/2 cans	7.55	8.65	.37
Del Monte	Case of 24 #2 1/2 cans	6.45	7.00	.32
Summery	Case of 24 #2 1/2 cans	5.15	5.90	.35
C H B OH	Case of 24 #2 1/2 cans	5.60	6.45	.43
Premier	Case of 12 #2 1/2 (glass)	3.65	4.10	.37
For You	Case of 24 #2 1/2 cans		6.60	
<i>Century Yellow Cling (halves):</i>				
S. & W.	Case of 6 #10 cans	5.75	6.45	1.35
<i>Century Yellow Cling (sliced):</i>				
S. & W.	Case of 6 #10 cans	5.75	6.00	1.43
Libby	Case of 6 #10 tins	5.20	5.70	1.23
<i>Yellow Cling Certified (checkers):</i>				
Pearce	Case of 24 #2 1/2 tins	7.75	8.50	.45
<i>Eberita Star:</i>				
Libby	Case of 24 #2 1/2 cans	5.85	6.70	.37
Val-Vita	Case of 24 #2 1/2 cans	5.85	6.85	.32
Libby	Case of 12 #2 1/2 (glass)	3.55	4.05	.44
Pearce	Case of 12 #2 1/2 (glass)		4.15	.45

TABLE 2—MAXIMUM PRICES FOR QUILTS AND PILLOWS

MANUFACTURED BY LA INDUSTRIAL ALGODONERA, INC.

Quilts:	At wholesale	At retail
Cotton Batting covered with		
Size 36" x 68"	Per item	Per item
Size 42" x 68"	\$12.50	\$1.50
Size 48" x 68"	15.00	2.00
Size 54" x 70"	18.00	2.15
Size 60" x 70"	19.00	
Covered with sateen and cotton:		
Size 54" x 70"	20.00	3.35
Size 60" x 74"	34.00	3.95
Pillows:		
Size 18" x 26"	7.00	.80
Size 16" x 26"	4.50	.50
Baby size	1.75	.20

TABLE 20. Maximum prices for certain canned fruits sold or delivered in the Territory of Puerto Rico.

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
<i>Canned garbanzo:</i>				
Del Monte (halves)	Case of 24 #2 1/2 cans	\$5.95	\$6.84	\$0.37
Del Monte (unpeeled whole)	Case of 12 #2 1/2 (glass)	2.90	4.05	.44
Del Monte (peeled whole)	Case of 12 #2 1/2 (glass)	3.30	3.35	.30
Del Monte (peeled whole)	Case of 24 #1 Tall (glass)	4.00	4.00	.41
Signet (halves)	Case of 12 #2 1/2 (glass)	3.25	3.75	.25
Del Monte	Case of 48 #1 tall cans	7.60	8.75	.40
Exquisite	Case of 48 #1 tall cans	8.05	9.25	.25
Libby	Case of 48 #1 tall cans	7.50	8.65	.23
S. & W.	Case of 48 #1 tall cans	9.15	10.50	.23
Signet	Case of 48 #1 tall cans	7.70	8.85	.24
Libby	Case of 12 #2 1/2 (glass)	3.50	4.05	.44
S. & W.	Case of 24 #2 1/2 cans	6.95	7.69	.41
Del Monte	Case of 24 #2 1/2 cans	8.29	9.55	.52
Del Monte	Case of 72 #3 oz. cans	4.65	5.35	.29
S. & W.	Case of 48 #1 tall cans	6.65	7.65	.17
Del Monte	Case of 48 #1 tall cans	3.90	4.05	.44
Libby	Case of 12 #2 1/2 (glass)	3.90	4.50	.40
Del Monte	Case of 12 #303 (glass)	2.55	2.95	.32
<i>Canned fruit salad:</i>				
Del Monte	Case of 24 #2 1/2 cans	0.95	8.00	.43
Exquisite	Case of 24 #2 1/2 cans	7.40	8.70	.46
Libby	Case of 24 #2 1/2 cans	7.35	8.45	.46
S. & W.	Case of 24 #2 1/2 cans	9.60	10.95	.52
Del Monte	Case of 24 #2 1/2 cans	7.20	8.30	.53
Exquisite	Case of 48 #1 tall cans	8.35	9.60	.53
Libby	Case of 48 #1 tall cans	8.25	9.60	.53
S. & W.	Case of 48 #1 tall cans	10.45	12.60	.57
Del Monte	Case of 24 #2 1/2 cans	5.15	6.35	.32
Libby	Case of 12 #2 1/2 (glass)	4.35	4.95	.47
Del Monte	Case of 12 #2 1/2 (glass)	4.20	4.95	.50
Libby	Case of 24 #1 tall (glass)	4.85	5.60	.50
Signet	Case of 12 #2 1/2 (glass)	3.85	4.45	.43
<i>Canned light cherries:</i>				
Del Monte	Case of 12 #303 (glass)	2.95	3.40	.37
Libby	Case of 12 #2 1/2 (glass)	4.20	4.85	.53
For 'n' Anne cherries:				
Signet	Case of 24 #1 tall (glass)	4.75	5.45	.50
Trupec	Case of 12 #2 1/2 (glass)	3.85	4.45	.43
	Case of 6 #10 cans	2.55	2.90	.20

TABLE 3—MAXIMUM PRICES FOR CANNED FRUITS

caise", "pan de agua", "pan de sand-wich" or "pan sobado", which constitutes 10% or less of the gross sales of the bread produced by the bakery during any month preceding the date of the sale of this type of bread.

TABLE 1—MAXIMUM PRICES FOR BREAD OTHER THAN SPECIALTY BREAD

To wholesaler	At bakery to retailers	Delivered to institutional and commercial users	All sales at retail
Price per lb. \$0.0775	Price per lb. \$0.080	Price per lb. \$0.085	Price per lb. \$0.10

Note: The maximum prices for specialty bread shall be established in accordance with the provisions of the General Maximum Price Regulation.

TABLE 3—MINIMUM PRICES FOR CANNED FRUITS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned peaches—Continued.				
Peaches, yellow, filling second pieces sliced:				
World Wide.....	Case of 24 #2½ cans		\$0.35	\$0.34
Yellow tree standard, halves:				
Sealed in.....	Case of 24 #2½ cans		7.25	.39
Standard Yolo.....	Case of 24 #2½ cans	\$5.20	6.00	.33
Yellow freestone (halves):				
Granny's style.....	Case of 24 #2½ cans	0.00	7.70	.40
For pie:				
Sequel.....	Case of 24 #2½ cans	4.45	5.00	.27
Canned pears:				
Bartlett (halves):				
Del Monte.....	Case of 24 #2½ cans	7.55	8.40	.45
Libby.....	Case of 24 #2½ cans	7.00	7.80	.44
S. & W.....	Case of 24 #2½ cans	8.40	9.00	.42
Process.....	Case of 24 #2½ cans	6.15	7.05	.33
Del Monte.....	Case of 24 #2½ cans	6.15	6.90	.32
Libby.....	Case of 24 #2½ cans	4.85	5.60	.30
Del Monte.....	Case of 24 #2½ cans	7.30	8.40	.15
Exquisite.....	Case of 72-8 oz. cans	4.25	4.50	.15
Del Monte.....	Case of 12 #2½ (glass)	3.00	4.70	.40
Libby.....	Case of 12 #2½ (glass)	2.85	3.20	.34
Del Monte.....	Case of 12 #2½ (glass)	2.85	3.35	.39
Tolo.....	Case of 24 #2½ cans	6.00	6.90	.37
Pennard.....	Case of 24 #2½ cans	7.55	7.55	.41
Jacco.....	Case of 24 #2½ cans	7.55	7.55	.41
True Mark.....	Case of 24 #2½ cans	6.55	7.55	.41
Supreme.....	Case of 24 #2½ cans	4.20	8.75	.47
Bartlett.....	12 #2½ (glass)			.50
Clement.....	Case of 24 #2½ cans		8.75	.47
Standard and pieces:				
Cool: Robin.....	Case of 24 #2½ cans		7.55	.40
Cholor:				
Sacramento.....	Case of 6 #10 cans		7.55	1.70
Bartlett (Quartered):				
Sigant.....	(Case of 24 #1 Tall (glass))	4.50	5.20	.23
Ruby.....	(Case of 12 #2½ (glass))	3.55	4.10	.44
Bartlett (sliced):				
Del Monte.....	Case of 24 #2½ cans	4.60	5.20	1.20
Del Monte.....	Case of 12 #2½ (glass)	6.55	7.55	.41
Del Monte.....	Case of 12 #2½ (glass)	2.65	3.05	.33
Canned plums:				
Del Monte (De Luxe).....	(Case of 12 #2½ (glass))	2.15	2.40	.25
Do Yanco.....	(Case of 12 #2½ (glass))	2.50	3.15	.32
Libby.....	Case of 24 #2½ cans	4.05	4.05	.25
Green range.....	Case of 24 #2½ cans	4.65	5.20	.23
Purple Range.....	Case of 12 #2½ (glass)	3.55	4.00	.43
Premier.....	Case of 6 #10 cans		4.75	1.00
Sweet Life.....				
Whole unspiced red tart:				
S. & W.....	Case of 12 #2½ (glass)	3.70	4.15	.45
Prunes (prepared):				
Sigant.....	Case of 12 #2½ (glass)	2.00	3.00	.33
Premier.....	Case of 24 #2½ cans	5.00	5.55	.30
Prunes, fresh purple:				
Premier.....	Case of 12 #2½ (glass)	3.70	4.25	.40
Canned red raspberries:				
Del Monte.....	(Case of 12 #2½ (glass))	2.60	2.95	.31
Canned ripe figs:				
Del Monte (Whole).....	(Case of 12 #2½ (glass))	3.50	4.25	.43
Kiwifruit figs:				
Sigant.....	Case of 12 #2½ (glass)	3.30	3.80	.41
Kiwifruit.....				
Fancy F & P.....	Case of 4 #10 tins	7.50	8.60	.23
Delphos.....				
S. & W.....	Case of 24 #2½ cans	8.70	9.70	.50
Libby.....	Case of 24 #2½ cans	0.75	7.45	.40
Premier.....	Case of 12 #2½ (glass)	4.20	4.80	.51
Canned apples:				
Revald Malt.....	Case 24 #2½ cans	3.45	3.95	.21
Washington.....	Case 6 #10 cans	3.85	4.40	.05
S. & W. (BA R-A Special).....	Case of 6 #10 cans	4.20	4.85	1.25

TABLE 3—MAXIMUM PRICES FOR CANNED FRUITS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned fruit cocktail:				
S. & W. Libby's.....	Case of 24/12½ cans.....	\$6.50	\$7.35	\$1.57
Exquisite.....	Case of 24/12½ cans.....	7.10	8.00	.43
S. & W. Libby's.....	Case of 24/12½ cans.....	9.00	9.85	.62
Hunt's Supreme.....	Case of 24/12½ cans.....	7.30	8.35	.45
Libby's.....	Case of 12/23½ glass.....	4.20	4.75	.61
Sweet Life.....	Case of 24/12½ cans.....	.....	8.75	.47
Nugget.....	Case of 24/12½ cans.....	.....	9.35	.40
U O O.....	Case of 24/12½ cans.....	8.05	8.80	.47
Del Monte.....	Case of 48/1 tins.....	8.15	9.00	.24
Del Monte.....	Case of 12/23½ glass.....	2.65	3.00	.32
Del Monte.....	Case of 12/23½ glass.....	3.00	4.30	.44
Del Monte.....	Case of 12/23½ tins.....	7.15	8.09	.42
Premier.....	Case of 24/12½ (glass).....	8.10	8.85	.47
Canned pineapple:				
Sliced:				
S. & W. Libby's.....	Case of 24/12½ cans.....	0.55	7.40	.40
S. & W. Libby's.....	Case of 24/12 cans.....	6.30	6.10	.52
Canned Raspberry:				
Del Monte.....	Case of 12/23½ (glass).....	2.85	3.25	.35
[Table 3 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 1, 8 F.R. 10806, effective 7-15-43; Am. 4, 8 F.R. 11847, effective 8-2-43; Am. 14, 8 F.R. 15704, effective 10-1-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 308, effective 1-14-44; Am. 25, 9 F.R. 1042, effective 2-17-44; Am. 27, 9 F.R. 2031, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3940, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-0-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-23-44; Am. 41, 9 F.R. 6884, effective 6-12-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]				
TABLE 23.—MINIMUM PRICES FOR FRUIT SAUCES AND PRESERVES				
Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price
Apple sauce:				
Supremo.....	Case of 24/12 cans.....	.....	\$4.10	Per can
Del Monte.....	Case of 12/16 cans.....	.....	4.25	1.21
Premier.....	Case of 24/12 cans.....	8.50	4.50	1.51
S. & W. Libby's.....	Case of 24/12 cans.....	6.20	6.60	.52
Graps jam:				
Goodwin.....	Case of 24/16 jars.....	.....	5.45	.23
Premier.....	Case of 24/16 oz. glass.....	4.55	5.20	.24
Sweet Life.....	Case of 24/16 glass.....	.....	5.50	.23
Peach jam:				
Del Monte.....	Case of 24/16 jars.....	5.25	6.00	.23
Del Monte.....	Case of 12/23 jars.....	4.55	6.05	.52
Thibet's Brook.....	Case of 24/16 jar.....	.....	6.05	.52
Rum jam:				
Del Monte.....	Case of 24/16 jars.....	5.45	6.25	.53
Del Monte.....	Case of 12/23 jars.....	5.05	6.50	.62
Del Monte.....	Case of 6/23 tin.....	4.70	6.40	1.17
Spruce.....	Case of 24/16 jar.....	.....	6.70	.51
Del Monte.....	Case of 24/16 jar.....	7.05	6.00	.49
Red Raspberry seeded jam:				
Premier.....	Case of 12/16 oz. glass.....	3.55	4.10	.44
Apple jelly:				
Supremo.....	Case of 24/16 jar.....	4.55	4.55	.23
Thibet's Brook.....	Case of 24/16 jar.....	4.55	4.55	.23
Thibet's Brook.....	Case of 12/23 jar.....	4.55	4.55	.24
Premier.....	Case of 24/16 oz. jar.....	3.80	4.35	.24
Gloverneck.....	Case of 12/23 jars.....	4.00	4.00	.43
Fig jam:				
Tropic Treat.....	Case of 12/23 oz. jar.....	.....	0.37	.63
Marmalade, Grapefruit:				
Spear.....	Case of 12/23 jar.....	.....	4.00	.43
Marmalade, Grapefruit and Orange:				
Acme.....	Case of 12/23 jar.....	.....	4.00	.43
Marmalade, Orange:				
Spear.....	Case of 24/16 jar.....	.....	4.05	.25

TABLE 23—MAXIMUM PRICES FOR FRUIT SACKS AND PRESERVES

[Table 3 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 1, 8 F.R. 10906, effective 7-15-43; Am. 4, 8 F.R. 11847, effective 8-2-43; Am. 14, 8 F.R. 15704, effective 10-1-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 308, effective 1-14-44; Am. 26, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2381, effective 3-20-44; Am. 28, 9 F.R. 3166, effective 3-28-44; Am. 31, 9 F.R. 3940, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-0-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 41, 9 F.R. 6864, effective 6-12-44; and Am. 43, 9 F.R. 7670, effective 7-10-44]

TABLE 3a.—MAXIMUM PRICES FOR FRUIT SPICES AND PRESERVES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Sauco, cranberry:				
S. & W.	Case of 24/16 oz. jar	\$5.85	\$6.40	\$9.35
Minot.	Case of 24/16 oz. jar		4.80	.28
E. C. O.	Case of 24/16 oz. jar		4.90	.28
PRESERVES:				
Peach Premier.	Case of 24/16 oz. jar	5.40	6.10	.34
Pineapple Premier.	Case of 24/16 oz. jar	5.60	6.15	.34
Blackberry Premier.	Case of 24/16 oz. jar	6.40	7.10	.39
Red Raspberry Premier.	Case of 24/16 oz. jar	6.35	7.10	.39
Apricot Premier.	Case of 24/16 oz. jar	6.35	7.05	.39
Strawberry Premier.	Case of 24/16 oz. jar	6.60	7.30	.40
Sweet Orange Preserve.	Case of 24/16 oz. glass	4.90	5.45	.29
Anna Meyers.	Case of 24/16 oz. jar		8.70	.47
Goodwin.	Case of 24/16 oz. jar		8.70	.47
Guava jelly.	Case of 24/16 oz. (glass)		6.00	.37
Apple-raspberry jelly.	Case of 24/16 oz. (glass)		5.80	.31
Goodwin.	Case of 24/16 oz. (glass)		5.60	.30
Crab apple jelly.	Case of 24/12 oz. (glass)	5.05		
Minot.	Case of 24/12 oz. (glass)	3.90	4.40	.24
Red Currant jelly.	Case of 24/12 oz. (glass)	5.05	5.60	.30

[Table 3a added by Am. 20, 9 F.R. 398, effective 1-14-44; amended by Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4920, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5262, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

Sec. 20a. Maximum prices for certain canned fruits packed in the Territory of Puerto Rico.

TABLE 2a.—MAXIMUM PRICES FOR CANNED PINEAPPLE

	To wholesalers (per dozen)		At wholesale (per dozen)		At retail (per can)	
	No. 2	No. 2½	No. 2	No. 2½	No. 2	No. 10
Crushed, all brands:						
Natural (in juice)	\$1.80	\$2.65	\$3.50	\$2.05	\$0.22	\$0.32
Sweetened, cut out of:						
20 to 24 Brk.	2.00	2.80	9.50	3.20	.25	.35
Over 24 Brk.	2.35	3.25	10.50	3.75	.20	.40
Fountain Topping.	2.65	3.70	12.00	4.25	.33	.46
Out, all brands:						
Slices, chunks, tidbits	2.00	2.80	9.50	3.20	.25	.35

[Sec. 20a added by Am. 21, 9 F.R. 579, effective 1-19-44]

Sec. 21. Maximum prices for certain fruit juices sold or delivered in the Territory of Puerto Rico.

TABLE 4.—MAXIMUM PRICES FOR CERTAIN FRUIT JUICES

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Grapefruit juice:				
Double H Brand, natural unsweetened.	Case of 24/12 cans	\$2.25	\$2.65	Per container \$0.15
Pear juice:				
Sweetened.				
Golden Flower	Case of 24/12 oz. (glass)	2.95	3.40	.18
S. & W.	Case of 24/12 oz. cans	2.60	2.85	.15
Libby	Case of 24/12 oz. bottles	3.40	3.80	.20
Peach juice:				
Golden Flower	Case of 24/12 oz. (glass)	2.95	3.40	.18

TABLE 4.—MAXIMUM PRICES FOR CERTAIN FRUIT JUICES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Orange juice:				
Premier	Case of 24/18 oz. tin	\$4.95	\$5.45	\$9.29
Grape juice:				
Welch	Case of 42 pints (glass)	4.80	5.30	.29
Welch	Case of 12 quarts (glass)	4.55	5.00	.54
Apricot juice:				
S. & W.	Case of 24/12 oz. cans	2.50	2.85	.15
Apricot Glorietta	Case of 24/12 oz. glass	3.00	4.50	.24
Apple juice:				
Premier	Case of 12 qt. glass	2.70	3.05	.16
S. & W.	Case of 24/12 oz. bottles	3.20	3.55	.35
Alameda	Case of 24/12 oz. bottles	4.30	4.95	.17
Mott's	Case of 12 quarts	2.75	3.15	.17
Martinelli's Gold Medal	Case of 12 quarts	3.00	3.35	.35
Martinelli's Gold Medal	Case of 24/12 oz. bottles	3.45	3.80	.18
Apple juice, liquid:				
S. & W.	Case of 12/23 oz. bottles	4.40	5.00	.42
Pruco juice:				
Air Line	Case of 24/12 oz. bottle	3.70	3.70	.27
Premier	Case of 24/12 oz. (glass)	2.80	3.20	.20
Sun-Rite	Case of 12/32 oz.	3.55	4.05	.44
Premier	Case of 12 qts. bottles	3.40	3.80	.40
Airline	Case of 12 quarts (bottles)	3.80	3.80	.40
Pear nectar:				
Pedestal	Case of 48/12 oz. tin	4.65	5.25	.14
Cherry Chaco	Case of 100/5½ oz. tin	0.30	0.30	.08
Heart's Delight	Case of 48/12 oz. tin	1.18	0.55	.18
R. O.	Case of 48/12 oz. tin	1.18	0.55	.18
Pear nectar, fancy:				
Pacific Gold	Case of 48/12 oz. tins	4.55	5.05	.14 or 2 for 27¢
Fig juice:				
Synedillo	Case of 24/12 oz.	4.40	5.00	.27
Grape juice:				
Welch	Case of 24/12 jar			

[Table 4 amended by Am. 4, 8 F.R. 41847, effective 8-2-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4920, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 8-16-44]

Sec. 21a. Maximum prices for certain fruit juices packed in the Territory of Puerto Rico.

TABLE 4a.—MAXIMUM PRICES FOR GRAPEFRUIT JUICE

	To wholesalers price per case of—		At wholesale price per case of—		At retail price per one—	
	2 dozen #2 can	½ dozen #10 can	2 dozen #2 can	½ dozen #10 can	# 2 can	#10 can
All brands:						
Natural, fancy	\$2.40	\$2.70	\$2.80	\$3.10	\$0.15	\$0.67
Unsweetered standard	2.20	2.45	2.65	2.80	.14	.61
Sweetened, fancy	2.60	2.80	2.90	3.20	.16	.69
Sweetened, standard	2.30	2.55	2.65	2.90	.14	.63

(a) "Fancy grapefruit juice" means grapefruit juice processed in such a manner as to prevent the mixing of citrus oil with the juice.

(b) "Standard grapefruit juice" means all locally processed grapefruit juice other than fancy grapefruit juice.

[Sec. 21a added by Am. 19, 9 F.R. 300, effective 12-24-43]

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Devilled Ham:				
First grade.....	Case 2 1/3 1/4 oz. tin.....	\$1.50	\$3.80	\$0.19
Second grade.....	Case 2 1/3 1/4 oz. tin.....	2.75	3.05	.19
Third grade.....	Case 48 3/4 oz. tin.....	3.00	3.30	.09 or 2 for .17

Second grado.....	Onso 48/3 $\frac{1}{2}$ oz., tin.....	2.36	2.69
First grado.....	Onso 30/5 $\frac{1}{2}$ oz., tin.....	3.45	3.75
	Onso 12/12.....	3.12	3.13

[illegible]

Pork sausages: All brands.....	2½ lbs.	.64 lb.	.09 lb.
Chorizos To return	Coca Cola bottling	12 cts	2 cts

[illegible]

Ham O. K. B.	6/10-11 lb. tin.....	.06	.67	.84
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TABLE 7.—MAXIMUM PRICES FOR CANNED SOUP

SEC. 23. Maximum prices for canned soup sold or delivered in the Territory of Puerto Rico.

[Table 6a added by Am. 18, 6 F.R. 10061, effective 11-1-43; amended by Am. 29, 9 F.R. 4064, effective 2-17-44; Am. 27, 9 F.R. 2931, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-9-44; Am. 37, 9 F.R. 5259, effective 5-22-44; Am. 40, 9 F.R. 6298, effective 6-14-44; Am. 41, 9 F.R. 6884, effective 6-18-44; and Am. 44, 9 F.R. 7570, effective 6-16-44]

[illegible]

Items and brand names	Cans	Wholesale price	Per can
Campbell	Cans of 48:	\$4.20	\$1.75
Asparagus	10½ or 11 oz. cans	4.15	15.13
Celery	10½ or 11 oz. cans	4.60	15.15
Chickadees	10½ or 11 oz. cans	4.20	15.15
Clam Chowder	10½ or 11 oz. cans	4.20	15.15
Consomme Madrilene	10½ or 11 oz. cans	4.20	15.15
Green Pea	10½ or 11 oz. cans	4.20	15.15
Meat Pie	10½ or 11 oz. cans	4.20	15.15
Meat Turtle	10½ or 11 oz. cans	4.20	15.15

[illegible]

TABLE 7—MAXIMUM PRICES FOR CANNED SOUP

Items and brand names	Unit	Prices to whole-cats	Prices at whole-cats	Retail prices
Campbell	Cans of 8:			Per can
Asparagus.....	10 1/2 or 11 oz. cans.....	\$5.20	\$5.75	\$9.15
Artichokes.....	10 1/2 or 11 oz. cans.....	4.15	4.60	12.15
Beef.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Chick-Oven'd.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Consommé Mordillene.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Corn Pca.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Meek Turtle.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Ox Tail.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Potatoes.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Pepper Pot.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Vegetable.....	10 1/2 or 11 oz. cans.....	4.20	4.75	15.15
Beef.....	10 1/2 or 11 oz. cans.....	4.43	7.07	18.38
Bouillon.....	10 1/2 or 11 oz. cans.....	4.43	7.07	18.38
Chicken Gumbo.....	10 1/2 or 11 oz. cans.....	4.43	7.07	18.38
Chicken Noodle.....	10 1/2 or 11 oz. cans.....	4.43	7.07	18.38
Vegetable Beef.....	10 1/2 or 11 oz. cans.....	4.43	7.07	18.38
Tomato.....	10 1/2 or 11 oz. cans.....	7.11	7.97	19.15
Chicken.....	10 1/2 or 11 oz. cans.....	6.60	6.75	18.15
Vegetarian Vegetable.....	10 1/2 or 11 oz. cans.....	6.60	6.75	18.15
Vegetarian Vegetable.....	48 1/2 th.....	6.60	6.15	18.15
Vegetable.....	48 1/2 th.....	6.60	6.15	18.15

TABLE 7—MAXIMUM PRICES FOR CANNED SOUP—Continued

Items and brand names	Unit	Price to whole-saler	Price at whole-saler	Retail price
<i>Chilford:</i>				
Pea	Case of 11 oz. cans	\$4.50	\$4.95	Per can \$0.13
Tomato	10 1/2 oz. cans	4.50	4.95	.13
Vegetable	10 1/2 oz. cans	5.55	6.10	.16
<i>Callie Ann:</i>				
Chicken gumbo	Case of 24	1.70	1.90	.10
Chicken noodle	7 oz. cans	1.70	1.90	.10
Creole of green pea	7 oz. cans	1.70	1.90	.10
Vegetable	7 oz. cans	1.70	1.90	.10
<i>Crossed Blackwell:</i>				
Asparagus	Case of 24	3.35	3.70	.19
Bean with bacon	16 oz. cans	3.35	3.70	.19
Beef	16 oz. cans	3.35	3.70	.19
Black bean	16 oz. cans	3.35	3.70	.19
Celery	16 oz. cans	3.35	3.70	.19
Chicken broth	16 oz. cans	3.35	3.70	.19
Chicken noodle	16 oz. cans	3.35	3.70	.19
Chicken soup	16 oz. cans	3.35	3.70	.19
Clam chowder	16 oz. cans	3.35	3.70	.19
Consomme madrilene	16 oz. cans	3.35	3.70	.19
Creole	16 oz. cans	3.35	3.70	.19
Green pea	16 oz. cans	3.35	3.70	.19
Mushroom	16 oz. cans	3.35	3.70	.19
Oyster	16 oz. cans	3.35	3.70	.19
Scotch broth	16 oz. cans	3.35	3.70	.19
Shrimp	16 oz. cans	3.35	3.70	.19
Spinaach	16 oz. cans	3.35	3.70	.19
Tomato	16 oz. cans	3.35	3.70	.19
Vegetable	16 oz. cans	3.35	3.70	.19
Vegetarian	16 oz. cans	3.35	3.70	.19
Vegetable beef	16 oz. cans	3.35	3.70	.19
<i>Gibbs:</i>				
Asparagus	Case of 48	2.65	2.95	.08
Bean	10 1/2 oz. cans	2.65	2.95	.08
Tomato	10 1/2 oz. cans	2.80	3.25	.09
Vegetable	10 1/2 oz. cans	2.80	3.25	.09
<i>Heinz:</i>				
Asparagus	24 15 oz. cans	3.15	3.50	.18
Asparagus	36 9 1/4 oz. cans	3.20	3.55	.18
Asparagus	36 11 oz. cans	5.05	5.50	.19
Bean Soup	36 11 oz. cans	3.15	3.50	.18
Bean	24 15 oz. cans	3.20	3.55	.18
Bean	36 9 1/4 oz. cans	3.15	3.50	.18
Celery	24 15 oz. cans	3.15	3.50	.18
Celery	36 9 1/4 oz. cans	3.15	3.50	.18
Chicken noodle	24 15 oz. cans	3.15	3.50	.18
Chicken noodle	36 9 1/4 oz. cans	3.20	3.55	.18
Chicken country style	24 15 oz. cans	3.15	3.50	.18
Chicken country style	36 9 1/4 oz. cans	3.15	3.50	.18
Chicken with rice	24 15 oz. cans	3.15	3.50	.18
Chicken with rice	36 9 1/4 oz. cans	3.15	3.50	.18
Consomme	24 15 oz. cans	3.15	3.50	.18
Consomme	36 9 1/4 oz. cans	3.20	3.55	.18
Corn chowder	24 15 oz. cans	3.15	3.50	.18
Corn chowder	36 9 1/4 oz. cans	3.20	3.55	.18
Clam chowder	24 15 oz. cans	3.15	3.50	.18
Clam chowder	36 9 1/4 oz. cans	3.20	3.55	.18
Genuine turtle	24 15 oz. cans	3.15	3.50	.18
Genuine turtle	36 9 1/4 oz. cans	3.20	3.55	.18
Green pea	24 15 oz. cans	3.15	3.50	.18
Green pea	36 9 1/4 oz. cans	3.20	3.55	.18
Gumbo creole	24 15 oz. cans	3.15	3.50	.18
Gumbo creole	36 9 1/4 oz. cans	3.20	3.55	.18
Mushroom	24 15 oz. cans	3.15	3.50	.18
Mushroom	36 9 1/4 oz. cans	3.20	3.55	.18
Onion	24 15 oz. cans	3.15	3.50	.18
Onion	36 9 1/4 oz. cans	3.20	3.55	.18
Pea	24 15 oz. cans	3.15	3.50	.18
Pea	36 9 1/4 oz. cans	3.20	3.55	.18
Scotch broth	24 15 oz. cans	3.15	3.50	.18
Scotch broth	36 9 1/4 oz. cans	3.20	3.55	.18
Spinach	24 15 oz. cans	3.15	3.50	.18

TABLE 7—MAXIMUM PRICES FOR CANNED SOUP—Continued

Items and brand names	Unit	Price to whole-saler	Price at whole-saler	Retail price
<i>Heinz—Continued.</i>				
Spinach	36 9 1/4 oz. cans	\$3.20	\$3.55	Per can \$0.13
Split pea	24 15 oz. cans	3.15	3.50	.13
Split pea	36 9 1/4 oz. cans	3.20	3.55	.13
Tomato	24 15 oz. cans	3.15	3.50	.13
Tomato	36 9 1/4 oz. cans	3.20	3.55	.13
Chicken noodle	11 oz. cans	4.95	5.45	.19
Tomato	11 oz. cans	3.80	4.20	.15
Vegetable	11 oz. cans	4.55	5.00	.17
Tomato	36 11 oz. cans	3.80	4.20	.15
Vegetable	36 11 oz. cans	4.55	5.00	.17
Vegetarian	24 15 oz. cans	3.15	3.50	.13
Vegetarian	36 9 1/4 oz. cans	3.20	3.55	.13
Vegetarian soup	36 9 1/4 oz. cans	3.20	3.55	.13
Vegetable beef	36 11 oz. cans	4.70	5.20	.18
Vegetable beef	24 15 oz. cans	3.15	3.50	.13
Condensed asparagus	36 9 1/4 oz. cans	3.20	3.55	.13
Condensed beans	36 11 oz. tin	5.20	5.65	.19
Condensed chicken noodle	36 11 oz. tin	5.20	5.65	.19
Condensed chicken noodle	36 10 3/4 oz. tin	5.20	5.65	.19
Condensed pea	36 11 oz. tin	5.20	5.65	.19
Condensed Scotch broth	36 11 oz. tin	5.20	5.65	.19
Condensed tomato	36 11 oz. tin	5.20	5.65	.19
Condensed vegetable	36 11 oz. tin	5.20	5.65	.19
Vegetable beef	Case of 36	5.25	5.80	.20
<i>Hunt (new formula):</i>				
Pea	Case of 48	4.70	5.20	.14
Tomato	10 1/2 oz. cans	4.70	5.20	.14
Vegetable	10 1/2 oz. cans	5.80	6.30	.16
Vegetable	24 15 oz. cans	4.00	5.05	.26
<i>Libby:</i>				
Pea	20 oz. cans	4.00	4.40	.23
Tomato	20 oz. cans	4.00	4.40	.23
Vegetable	20 oz. cans	4.00	4.40	.23
<i>McGrath:</i>				
Asparagus	10 1/2 oz. cans	3.30	3.65	.10
Tomato	10 1/2 oz. cans	3.30	3.65	.10
Vegetable	10 1/2 oz. cans	3.30	3.65	.10
<i>Morton House:</i>				
Asparagus	Case of 48	2.65	2.95	.08
Asparagus	10 1/2 oz. cans	2.65	2.95	.08
Clam chowder	10 1/2 oz. cans	2.65	2.95	.08
Pea	10 1/2 oz. cans	2.65	2.95	.08
Tomato	10 1/2 oz. cans	2.65	2.95	.08
Vegetable	10 1/2 oz. cans	2.65	2.95	.08
<i>Philips:</i>				
Consomme with noodles	10 1/2 oz. cans	4.20	4.65	.12
Tomato	10 1/2 oz. cans	2.80	3.25	.09
Vegetable	10 1/2 oz. cans	2.80	3.25	.09
<i>Premier:</i>				
Tomato	10 1/2 oz. cans	2.80	3.25	.09
Vegetable	10 1/2 oz. cans	2.80	3.25	.09
<i>Rancho (new formula):</i>				
Asparagus	10 1/2 oz. cans	4.25	4.70	.12
Pea	10 1/2 oz. cans	4.25	4.70	.12
Tomato	10 1/2 oz. cans	4.25	4.70	.12
Vegetable	10 1/2 oz. cans	4.25	4.70	.12
Chicken noodle	10 1/2 oz. cans	3.50	3.85	.10
<i>Salt:</i>				
Clam chowder	12 3/4 tin	4.80	5.20	.17
<i>Van Camp (old style):</i>				
Tomato	Case of 24	2.65	2.95	.13
Vegetable	10 1/2 oz. cans	2.65	2.95	.13
Asparagus	10 1/2 oz. cans	4.05	4.45	.12
Tomato (sauce)	10 1/2 oz. cans	4.05	4.45	.12
<i>Zucca:</i>				
Vegetable, condensed minestrone	43 10 1/4 oz.	6.75	7.20	.13

[Table 7 corrected, 8 FR. 10736, effective 7-15-43; amended by Am. 10, 8 FR. 14765, effective 10-4-43; Am. 20, 9 FR. 338, effective 1-14-44; Am. 27, 9 FR. 2331, effective 3-20-44; Am. 23, 9 FR. 3156, effective 3-23-44; Am. 34, 9 FR. 5255, effective 5-22-44; Am. 41, 9 FR. 6334, effective 6-12-44; and Am. 43, 9 FR. 7570, effective 7-10-44]

TABLE 8—MAXIMUM PRICES FOR CERTAIN TOMATO PRODUCTS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
<i>Sauce:</i>				
Premier.....	12/12 oz. glass.....	\$2.40	\$2.76	\$3.30
Supremo.....	24/12 oz. glass.....		6.00	.36
Libby.....	12/82½ fl.oz.....		3.46	.37
Libby.....	Cases of 24/12 oz.....	6.16	6.80	.31
<i>Purée:</i>				
Kokoch.....	48/10½ oz.....		4.25	.11
<i>Sauce:</i>				
Unite.....	24/82 tin.....	2.75	3.15	.17
Gib.....	72½ oz. tin.....		4.76	.08
Natio.....	72½ oz. tin.....		4.76	.08
Tripack.....	48½ oz. tin.....		3.40	.08
Uco.....	72½ oz. tin.....		4.05	.08

Table 8 amended by Am. 1, 8 F.R. 10806, effective 7-15-43; Am. 4, 8 F.R. 11847, effective 8-2-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-1-44; Am. 27, 9 F.R. 2831, effective 1-30-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 30, 9 F.R. 3514, effective 4-6-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-0-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5263, effective 5-22-44; Am. 41, 9 F.R. 6384, effective 6-12-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 8-16-44]

TABLE 0—MAXIMUM PRICES FOR TOMATO JUICE AND TOMATO COCKTAIL

[illegible]

(a) The maximum price for varieties of canned soups other than those enumerated above, shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of an amendment or order prescribing the maximum price for the applicant or for sellers of such canned soups generally, and shall be a price in line with the maximum price fixed on the above enumerated varieties.

TABLE 7a—MAXIMUM PRICES FOR DEHYDRATED SOUPS

Item and brand name	Unit	Price at wholesale	Retail price
All Brands (all varieties)	2½ oz. or 2¾ oz. packages.	Per doz. \$1.15	Per unit \$0.12

Table 7a added by Am. 20, 9 F.R. 398, effective 1-14-44; amended by Am. 27, 9 F.R. 2831, effective 3-20-44; and Am. 45, effective 8-2-44]

SEC. 24. Maximum prices for tomato products.

TABLE 8—MAXIMUM PRICES FOR CERTAIN TOMATO PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Tomato ketchup:				<i>Per container</i>
Heinz.....	Case of 24 14 oz. bottles	\$5.50	\$9.05	\$9.32
Heinz.....	Case of 24 8 oz. bottles	3.10	3.48	3.70
Heinz.....	Case of 24 14 oz. bottles	3.40	3.60	3.81
Libby.....	Case of 24 8-ounce bottles	2.85	3.40	3.64
Libby.....	Case of 24 14-ounce bottles	2.60	3.00	3.24
Libby.....	Case of 24 8-ounce bottles	4.25	4.50	4.75
Slater.....	Case of 24 14 oz. (glass)	3.65	4.20	4.45
Del Monte.....	Case of 24 8 oz. (glass)	3.75	3.95	4.20
Del Monte.....	Case of 24 14 oz. (glass)	3.75	3.95	4.20
Del Monte.....	Case of 24 14 oz. bottles	3.75	4.20	4.45
Our Favorite.....	Case of 24 14 oz. bottles	3.75	4.20	4.45
Tracy.....	Case of 24 14 oz. bottles	3.75	4.20	4.45
Delgo.....	24 14 oz. glass	3.75	4.20	4.45
Premier.....	24 14 oz. glass	3.75	4.20	4.45
Butter.....	24 14 oz. bottle	3.85	4.30	4.55
Van Camp.....	24 14 oz. bottle	3.25	3.75	3.90
Yello.....	24 14 oz. bottle	3.25	3.75	3.90
Tomato paste:				
Slater.....	Case of 100 0 oz. cans	0.65	0.65	1.0
R & W.....	Case of 72 8 oz. cans	4.95	4.95	6.5
Green Bow.....	Case of 72 8 oz. cans	4.65	4.65	6.3
Tomato sauce:				
Del Monte.....	Case of 72 8 oz. cans	4.15	4.65	6.3
Delgo.....	Case of 48 8 oz. cans	2.65	3.05	3.35
Heinz.....	Case of 24 16 oz. cans	2.65	3.35	3.65
Heinz.....	Case of 72 8 oz. cans	3.65	4.05	4.35
Libby.....	Case of 48 8 oz. cans	2.55	2.70	2.90
Libby.....	Case of 72 8 oz. cans	3.00	3.40	3.65
Slater.....	Case of 72 8 oz. cans	3.00	3.40	3.65
Libby Buffet.....	Case 72 8 oz. cans	3.75	4.17	4.53
R & W.....	Case 72 8 oz. cans	3.75	4.25	4.60
Val-Via.....	Case of 72 10 1/2 oz.	4.35	4.55	4.85
Cock Robin.....	Carton 72 8 oz. tins	3.60	4.00	4.30
Hunt's Supreme.....	Case of 72 8 oz. tins	4.45	4.45	4.65
Val-Via.....	Case of 72 8 oz. tins	4.10	4.10	4.30
Sacramento.....	Case of 72 8 oz. tins	4.60	4.60	4.80
Above Par.....	Case of 72 8 oz. tins	4.60	4.60	4.80
Sunbuck.....	Case of 43 11 oz. tins	3.85	4.05	4.25
Blue Bow.....	Case of 43 10 1/2 oz. tins	3.80	3.80	4.00
Blue Sky.....	Case of 72 8 oz. tins	4.60	4.60	4.80
Allegro.....	Case of 72 8 oz. tin	4.70	4.70	4.90
Taste-Tell.....	Case of 72 8 oz. tin	4.70	4.70	4.90
Garden Slide.....	Case of 72 8 oz. tin	4.70	4.70	4.90
Lady Luck.....	Case of 49 10 3/4 oz. tin	4.00	4.00	4.20
Mitlino Sauce:				
Premier.....	Case of 24 8 oz. tin	3.00	3.30	3.58
Tomato puree:				
R & W.....	Case of 6 1/10 cans	4.40	5.05	5.40
Slater.....	Case of 48 10 1/2 oz.	3.00	3.20	3.40
Green Bow.....	Case of 24 3 1/2 tin	3.95	4.20	4.40
Butter.....	Case of 6 1/10 can	3.95	4.20	4.40

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Per container
<i>Canned beets—Continued.</i>				
Tiny Rosebud whole: Lily of the Valley.	Case of 24 #2 cans.	\$3.75	\$4.30	\$0.23
Extra small Rosebud: Lily of the Valley.	Case of 24 #2 cans.	3.50	4.05	.22
Medium Rosebud whole: Lily of the Valley.	Case of 24 #2½ cans.	3.35	3.85	.21
Shoestring: Snider.	Case of 12 16 oz. (glass).	1.40	1.60	.17
Shoestring: Premier.	Case of 24 16 oz. glass.	3.00	3.40	.18
Small whole: S & W.	Case of 24 #2 cans.	5.05	5.80	.31
Julienne: S & W.	Case of 24 #2 cans.	3.30	3.60	.19
Whole midjet: S & W.	Case of 24 #2 cans.	5.80	6.65	.36
Cut: S & W.	Case of 24 #2 cans.	2.95	3.40	.18
Deerfield.	Case of 24 #2½ cans.	2.40	2.75	.15
Deerfield.	Case of 24 #2½ cans.	2.70	3.10	.17
Libby.	Case of 12 16 oz. glass.	1.60	1.85	.20
<i>Canned carrots.</i>				
Fancy, sliced:				
Lily of the Valley.	Case of 24 #2 cans.	2.55	2.90	.15
Premier.	Case of 24 #2 cans.	2.45	2.85	.15
Royal Scarlett.	Case of 24 #2 cans.	3.60	4.20	.22
Snider.	Case of 24 #2 cans.	2.45	2.85	.15
S & W.	Case of 24 #2 cans.	3.60	4.20	.22
Country Queen.	Case of 24 #2 cans.	2.45	2.85	.15
Libby (glass).	Case of 24 10 oz. cans.	3.10	3.65	.19
Lily of the Valley (glass).	Case of 24 #2 cans.	3.20	3.75	.19
Snider.	Case of 24 #2 cans.	3.20	3.75	.19
Libby.	Case of 24 #2 cans.	2.45	2.85	.15
Lily of the Valley.	Case of 24 19 oz. cans.	3.20	3.75	.19
Royal Scarlett.	Case of 72 8½-oz. cans.	5.00	5.75	.10
S & W.	Case of 72 8½-oz. cans.	5.00	5.75	.10
Lily of the Valley.	Case of 72 8½-oz. cans.	5.00	5.75	.10
Premier.	Case of 72 8-oz. cans.	5.00	5.75	.10
Royal Scarlett.	Case of 72 8-oz. cans.	6.00	6.90	.12
Fancy, shoestring:				
Lily of the Valley.	Case of 24 #2 cans.	2.55	2.90	.15
Snider.	Case of 24 #2 cans.	2.45	2.85	.15
Lily of the Valley (glass).	Case of 12 10 oz. cans.	1.60	1.90	.20
Snider.	Case of 12 10 oz. cans.	1.60	1.90	.20
Standard, sliced:				
Footed:				
McGrath.	Case of 24 19 oz. cans.	2.00	2.30	.12
Phillips.	Case of 24 19 oz. cans.	2.00	2.30	.12
Libby.	Case of 24 20 oz. cans.	2.00	2.30	.12
Summers, Charles G.	Case of 48 10 oz. cans.	2.00	2.30	.12
Gibbs.	Case of 48 10 oz. cans.	2.05	2.35	.13
Exquisite.	Case of 24 No. 2 cans.	3.05	3.60	.19
Raymond.	Case of 24 #2 cans.	3.05	3.60	.19
Gibbs.	Case of 24 16 oz. glass.	3.00	3.60	.19
Scott.	Case of 12 #303 glass.	2.00	2.30	.12
Del Monte.	Case of 24 #2 tin.	3.25	3.70	.20
S & W.	Case of 24 16 oz. glass.	2.00	2.30	.12
Scott.	Case of 24 #2 tin.	6.70	7.70	.37
Orchard Farm.	Case of 24 #2 tin.	6.70	7.70	.37
Sunny Garden.	Case of 12 #303 glass.	1.80	2.05	.22
Julienne:				
Del Monte.	Case of 24 #2 tin.	2.40	2.75	.30
Leota Belle.	Case of 12 16 oz. glass.	2.40	2.75	.30
Premer.	Case of 24 #2 cans.	2.85	3.25	.17
<i>Canned corn:</i>				
American beauty:	Case of 24 #2 cans.	3.45	3.90	.20
Standard White Cream.	Case of 24 #2 cans.	3.40	3.85	.20
Fancy golden sweet, cream style:	Case of 24 #2 cans.	3.45	3.90	.20
Del Monte.	Case of 24 #2 cans.	4.45	5.05	.26
Exquisite.	Case of 24 #2 cans.	3.45	3.90	.20
Libby.	Case of 24 #2 cans.	3.45	3.90	.20
Lily of the Valley.	Case of 24 #2 cans.	3.45	3.90	.20
Royal Scarlett.	Case of 24 #2 cans.	3.45	3.90	.20
Snider.	Case of 24 #2 cans.	3.45	3.90	.20
S & W.	Case of 24 #2 cans.	4.50	5.10	.26

[Table 9 amended by Am. 4, 8 F.R. 11847, effective 8-2-44; Am. 7, 8 F.R. 13165, effective 9-1-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 14, 8 F.R. 15704, effective 10-1-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5258, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

Sec. 25. Maximum prices for certain canned vegetables sold or delivered in the Territory of Puerto Rico.

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Per container
<i>Canned asparagus:</i>				
Exquisite (all green).	Case of 24 #2 cans.	\$7.85	\$9.05	\$0.40
Libby.	Case of 24 #1 square cans.	7.10	8.15	.35
Exquisite (medium green tips).	Case of 48 10½ oz. cans.	8.00	9.20	.40
Libby.	Case of 24 #2 tall.	10.15	11.65	.50
Exquisite.	Case of 24 #2 cans.	6.75	7.75	.42
Supreme (Natural).	Case of 24 #2 cans.	7.60	8.65	.46
Del Monte (Early garden).	Case of 24 #2 cans.	8.00	9.20	.40
Mammoth blended green point:				
S & W.	Case of 24 #2 rd. tin.	8.90	10.25	.55
Palmdale.	Case of 24 #2 rd. tin.	8.90	10.25	.55
Cut, spear:				
Ritter.	Case of 24 19 oz. cans.	7.60	8.75	.47
Spears:				
Rialto.	Case of 24 #2 can.	8.75	10.10	.54
Center Cut:	Case of 24 #2 can.	5.20	6.00	.28
Deerfield.	Case of 24 #2 can.	9.05	10.10	.54
Small spears:				
Fiorini.	Case of 24 #2 can.	8.75	10.10	.54
Colossal Rialto.	Case of 24 #1 sq. cans.	7.85	9.00	.40
<i>Canned asparagus tips:</i>				
Del Monte (Early garden).	Case of 48 10½ oz. cans.	7.38	8.49	.40
Del Monte (Colossal green).	Case of 48 10½ oz. cans.	7.38	8.49	.40
Del Monte (Picnic small).	Case of 48 10½ oz. cans.	7.38	8.49	.40
Del Monte (Picnic early garden).	Case of 48 10½ oz. cans.	7.38	8.49	.40
Eagle.	Case of 24 #1 sq. cans.	6.62	7.61	.41
Premier (all green).	Case of 24 #2 tin.	7.35	8.40	.44
Santa Cruz (green).	Case of 24 No. 1 square cans.	8.00	9.20	.40
Rialto (green).	Case of 24 No. 1 square cans.	8.00	9.20	.40
Rialto (white).	Case of 24 No. 1 square cans.	8.20	9.40	.41
Rialto (green).	Case of 48—Picnic.	7.80	9.00	.40
Rialto (white).	Case of 48—Picnic.	8.30	9.55	.42
<i>Canned beets:</i>				
Sliced:				
Exquisite.	Case of 24 #2 cans.	3.70	4.25	.23
Colossal.	Case of 24 #2 cans.	3.45	3.90	.21
Del Monte.	Case of 24 #2 tin.	3.70	4.25	.23
Premier.	Case of 24 #2 tin.	3.70	4.25	.23
Libby.	Case of 24 16 oz. glass.	3.70	4.25	.23
Libby (glass).	Case of 24 16 oz. glass.	3.70	4.25	.23
S & W.	Case of 24 #2 cans.	3.70	4.25	.23
Libby.	Case of 24 #2 tin.	3.70	4.25	.23
Del Monte.	Case of 24 #2 tin.	3.70	4.25	.23
Del Monte.	Case of 12 #303 glass.	2.50	2.85	.17
Lily of the Valley.	Case of 12 16 oz. (glass).	1.40	1.60	.17
S & W.	Case of 6 #10 can.	4.65	5.35	.24
Sweet Life.	Case of 24 16 oz. can.	4.05	4.65	.20
Premier.	Case of 24 16 oz. can.	4.05	4.65	.20
Whole:				
Libby.	Case of 24 #2 cans.	3.10	3.65	.19
Libby.	Case of 24 16 oz. glass.	2.35	2.75	.15
Del Monte.	Case of 12 #303 glass.	2.00	2.30	.12
Diced:				
S & W.	Case of 24 #2 cans.	3.30	3.60	.19
Deerfield.	Case of 6 #10 cans.	3.00	3.40	.17
Del Monte.	Case of 12 #303 glass.	1.95	2.25	.12
Premier.	Case of 24 #2 tin.	3.30	3.75	.20
Supreme.	Case of 24 16 oz. glass.	3.00	3.40	.17
S & W.	Case of 24 #2 can.	5.10	5.85	.26
Del Monte.	Case of 6 #10 can.	4.00	4.60	.20
Snider.	Case of 12 16 oz. (glass).	1.40	1.60	.17
Lily of the Valley.	Case of 24 #2 cans.	2.40	2.75	.15
Small Rosebud whole:	Case of 24 #2 cans.	2.40	2.75	.15
Lily of the Valley.	Case of 24 #2 cans.	3.35	3.85	.21
Royal Scarlett.	Case of 24 #2 cans.	3.80	4.40	.24
Rosebud whole: Lily of the Valley.	Case of 24 #2 cans.	3.10	3.55	.19

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned corn—Continued.				
Fancy golden sweet, cream style— Continued.				
Del Monte.....	Case of 24 #203 cans.....	\$3.00	\$3.40	.40 Per container \$9.18
Exquisite.....	" " " "	3.40	3.85	.45
Lady of the Valley.....	" " " "	3.60	4.00	.40
Premier.....	" " " "	3.80	4.20	.40
Royal Scarlett.....	" " " "	3.80	4.20	.40
Snyder.....	" " " "	4.00	4.45	.45
Fancy golden sweet, whole kernel.....	" " " "	3.30	3.75	.45
Libby.....	" " " "	3.35	3.80	.45
Premier.....	" " " "	3.35	3.80	.45
Royal Scarlett.....	" " " "	4.00	4.40	.40
S & W.....	" " " "	4.00	4.40	.40
Del Monte (glass).....	" " " "	3.85	4.25	.40
Premier.....	" " " "	2.46	2.86	.40
Royal Scarlett.....	" " " "	4.10	4.55	.45
Fancy golden, cream style:				
Premier.....	Case of 24 #203 cans.....	0.15	7.00	.85
Fancy golden, on cob:				
Libby.....	Case of 24 #2 cans.....	4.00	4.55	.55
Royal Scarlett.....	" " " "	4.00	4.55	.55
Lady of the Valley.....	" " " "	4.00	4.55	.55
Fancy golden, cold extra (all):				
Libby.....	Case of 24 #2 cans.....	2.75	3.15	.40
Royal Scarlett.....	" " " "	2.75	3.15	.40
Fancy country gentleman or tiny kernel, cream:				
Libby.....	Case of 24 #2 cans.....	3.20	3.75	.55
Lady of the Valley.....	" " " "	3.20	3.75	.55
Royal Scarlett.....	" " " "	3.20	3.75	.55
Snyder.....	" " " "	3.20	3.75	.55
S & W.....	" " " "	3.20	3.75	.55
Libby.....	" " " "	3.20	3.75	.55
Royal Scarlett.....	" " " "	3.20	3.75	.55
Standard golden cream:				
Olympia.....	Case of 24 #2 cans.....	2.20	2.60	.40
Phillips.....	" " " "	2.20	2.60	.40
Standard white cream:				
Kraut.....	Case of 24 #2 cans.....	2.75	3.15	.40
Maryland Chief.....	" " " "	2.75	3.15	.40
McFarrell.....	" " " "	2.75	3.15	.40
Phillips.....	" " " "	2.75	3.15	.40
Ted Hinn.....	" " " "	2.75	3.15	.40
Standard white cream whole kernel:				
Shelley.....	Case of 48 1/2 oz. cans.....	4.00	4.60	.60
Fancy white sweet, cream style:				
Delcor.....	Case of 24 1/2 oz. cans.....	4.10	4.65	.55
Country gentleman whole kernel:				
Libby.....	Case of 24 #2 cans.....	3.00	3.40	.40
Niblets.....	" " " "	3.00	3.40	.40
White sweet corn, country gentleman whole kernel:				
Valley.....	Case of 24 1/2 oz. cans.....	3.00	3.40	.40
Golden whole kernel:				
Golden whole kernel Premier.....	Case of 24 1/2 th.....	3.70	4.15	.45
Golden vacuum packed: Lily of the Valley.....	Case of 24 1/2 oz. cans.....	2.80	3.25	.45
Golden Buntam whole kernel: Del Monte.....	Carton 12/203 cases.....	2.20	2.65	.45
Whole kernel golden, vacuum pack:				
Del Monte.....	Case of 24 1/2 oz. cans.....	3.60	4.10	.50
Country gentleman whole kernel:				
Brant.....	Case of 24 1/2 th.....	3.00	3.40	.40
White Cream Style: Premier.....				
G. B. Cream Style: Palmdale.....	Case of 24 1/2 th.....	3.95	4.45	.50
Whole corn, G.B.: World Favorite.....	Case of 24 1/2 th.....	3.65	4.15	.50
Whole corn, G.B.: Kitchen Queen.....	Case of 24 1/2 th.....	3.65	4.15	.50
Medean style: Premier.....	Case of 24 1/2 oz. th.....	3.85	4.30	.45

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned peas—Continued.				
Chickpeas:				
Montague	Case of 24 #2 tins		\$3.20	\$0.17
Montecima Feby	Case of 24 #2 tins		3.35	0.18
Deerfield	Case of 24 #2 cans		2.85	0.15
Rosedale	Case of 24 #2 cans		3.45	0.18
Fancy #1 sieve E. V. or sugar:				
Del Monte		\$4.61	5.25	0.27
Libby	Case of 24 #2 cans	4.50	5.15	0.27
Royal Scarlett		5.95	6.80	0.33
Exquisite				
Libby		4.15	4.75	0.25
Lily of the Valley		4.30	4.90	0.25
S & W	Case of 24 #2 cans	4.00	4.55	0.24
Standard		4.00	4.55	0.24
Fancy #3 sieve E. V. or sugar:				
Libby		3.75	4.30	0.22
Lily of the Valley		3.70	4.20	0.22
Royal Scarlett		5.20	5.05	0.21
S & W	Case of 24 #2 cans	3.70	4.20	0.22
Standard		4.50	5.15	0.27
April Showers		3.70	4.20	0.22
Libby	Case of 24 #303 cans	3.40	3.90	0.20
Fancy #1 sieve E. V. or sugar:				
Libby		4.00	4.55	0.24
Fancy #2 sieve E. V. or sugar:				
Libby	Case of 24 #303 cans	3.80	4.35	0.22
Libby	Case of 24 #2 cans	3.90	4.45	0.23
Fancy #1 sieve sweet: Libby				
city or sugar:				
Del Monte	Case of 48 11 oz. cans	5.72	6.50	0.17
Libby		5.50	6.25	0.16
Royal Scarlett		7.25	8.25	0.21
Fancy #4 sieve sugar:				
Libby		3.60	4.10	0.21
Libby	Case of 24 #2 cans	5.10	5.80	0.20
Royal Scarlett		3.20	3.65	0.10
Libby	Case of 24 #303 cans	4.05	4.55	0.27
Fancy #5 or #6 sieve sugar:				
Libby		3.50	4.00	0.21
Libby's Jumbo		3.50	4.00	0.21
Lily of the Valley		3.50	4.00	0.21
Snider		3.50	4.00	0.21
Libby's Jumbo		3.50	4.00	0.21
Green Giant	Case of 24 #303 cans	4.00	4.55	0.24
Nibbles				
#2 sieve E. V.:				
Del Monte	Case of 48 8 oz. cans	5.00	5.70	0.15
#3 sieve E. V.:				
April Showers	Case of 48 8 oz. cans	4.40	5.00	0.13
Green Giant	Case of 48 8 oz. cans	5.00	5.70	0.15
Pinto fancy garden sugar:				
Del Monte		5.21	5.95	0.15
Exquisite	Case of 48 11 oz. cans	4.80	5.45	0.14
Libby				
Pinto fancy #1 sieve E. V. or sugar:				
Exquisite	Case of 48 11 oz. cans	5.00	5.70	0.15
S & W		6.60	7.50	0.19
Pinto fancy #3 sieve E. V. or sugar:				
Libby	Case of 48 11 oz. cans	4.80	5.45	0.14
Snider		4.80	5.45	0.14
S & W	Case of 48 11 oz. cans	6.00	6.85	0.18
Standard:				
Maryland Chief	Case of 48 10 1/2 oz. cans	4.00	4.60	0.12
Standard:				
Footle	Case of 24 20 oz. cans	2.70	3.10	0.16
Phillips	Case of 24 20 oz. cans	2.70	3.10	0.16
Phillips	Case of 48 10 oz. cans	4.00	4.60	0.12
Canned tomatoes:				
Fancy solid pack:				
Del Monte		3.00	4.10	0.21
Libby		3.00	4.10	0.21
Lily of the Valley	Case of 24 #2 cans	3.20	3.65	0.20
Royal Scarlett		3.50	4.10	0.20
Standard		3.50	4.10	0.20
Libby	Case of 24 #2 1/2 cans	4.50	5.35	0.23
Royal Scarlett		4.50	5.35	0.23

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned tomatoes—Continued.				
Fancy solid pack—Continued.				
Premier	Case of 24 19 oz. cans	\$3.00	\$3.40	\$0.18
Lily of the Valley	Case of 12 16 oz. cans	1.95	2.20	0.24
Snider	Case of 24 #2 1/2 cans	4.50	5.00	0.27
Exquisite	Case of 24 #2 1/2 cans	3.90	4.45	0.24
Lily of the Valley	Case of 24 #2 1/2 cans	5.10	5.60	0.30
Palmdale	Case of 24 #2 1/2 cans	4.40	5.00	0.27
Fancy solid pack, (uniform): Lily of the Valley.				
Standard:				
Happyvale		2.60	2.95	0.16
Lily of the Valley		3.05	3.45	0.19
Red Jay	Case of 24 #2 cans	3.05	3.45	0.19
Snider		2.40	2.85	0.16
Sweet Land		2.95	3.30	0.18
American Wonder		2.40	2.75	0.16
Gibbs	Case of 24 #2 cans	2.40	2.75	0.16
MacGrath		2.40	2.75	0.16
Van Gundy		1.90	2.20	0.15
Del Monte		2.40	2.75	0.16
Phillips	Case of 24 10 oz. cans	1.90	2.20	0.15
Maryland Chief		2.40	2.75	0.16
Happyvale		2.40	2.75	0.16
Mission		3.50	3.95	0.21
Red Jay	Case of 24 #2 1/2 cans	3.50	3.95	0.21
Silverdale		4.25	4.80	0.23
Cosmos	Case of 24 #2 1/2 cans	3.70	4.20	0.23
Cock Robin (grade O)	Case of 24 No. 2 1/2 cans	4.10	4.60	0.24
Century	Case of 24 #2 1/2 tins	4.50	5.00	0.27
Century S & W	Case of 6 #10 cans	4.05	4.10	1.00
Fancy peeled:				
Premier	Case of 24 #2 tins	3.25	3.70	0.20
Sunbeam	Case of 24 #2 1/2 tin.	4.80	5.30	0.26
Exquisite	Case of 24 #2 tin.	2.95	3.35	0.18
Canned vegetables for salad:				
Exquisite	Case of 48 8 oz. cans	4.60	5.30	0.24
Canned beans:				
Small whole gold wax: Lily of the Valley.				
Case of 24 #2 cans		5.25	6.00	0.32
Cut gold wax: Lily of the Valley.				
Case of 24 #2 cans		4.00	5.30	0.28
Many whole green: Lily of the Valley.				
Case of 24 #2 cans		5.05	6.80	0.37
Small whole green: Lily of the Valley.				
Case of 24 #2 cans		5.50	6.30	0.34
Medium whole green: Lily of the Valley.				
Case of 24 #2 cans		4.90	5.65	0.31
Vegetaria baked beans: Heinz.				
Cut, green: Del Monte.				
Stringless: Libby.				
Pork and beans:				
Van Camp's.				
Van Camp's.				
Premier.				
Van Camp's.				
Van Camp's.				
Chifford.				
Hurff.				
Van Camp.				
Van Camp.				
Van Camp.				
Van Camp.				
Van East.				
Phillips.				
Oven baked: S & W.				
Baked: Puritan.				
Green beans, fancy whole: Del Monte.				
Green beans, fancy cut: Del Monte.				
Beans with tomato sauce: Gibbs.				
Heinz.				
Beans, deep brown:				
Libby.				
Libby.				
Green cut #3 slave: Exquisite.				
Green cut #4 slave: Exquisite.				
Green French style: Exquisite.				
Red kidney: Green Par.				

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned beans—Continued.				
Red Kidney:				
Superfine	Cans of 2 1/2 lbs. tin		\$3.30	\$0.18
Sweet Life	Cans of 2 1/2 lbs. tin		3.30	.18
Premier	Cans of 2 1/2 lbs. tin	\$3.00	3.30	.18
Van Camps	Cans of 2 1/2 lbs. tin	3.00	3.00	.19
Foots Best	Cans of 2 1/2 lbs. tin			.10
Canned lima beans:				
Small: S & W	Cans of 2 1/2 lbs. cans	6.00	6.00	.27
Small green: Libby	Cans of 2 1/2 lbs. cans	4.75	7.00	.25
Italy green: S & W	Cans of 2 1/2 lbs. tin	5.00	5.00	.28
Early garden: Del Monte	Cans of 2 1/2 lbs. tin	5.25	5.25	.28
Medium green: Premier	Cans of 2 1/2 lbs. tin	5.75	6.00	.24
Regular dried: Fessido	Cans of 2 1/2 lbs. cans	6.00	6.00	.27
Green: Del Monte	Cans of 2 1/2 lbs. cans	4.00	5.00	.20
Cartoon: Libby	Cans of 2 1/2 lbs. tin	3.00	4.00	.21
Medium green: Premier	Cans of 2 1/2 lbs. tin	4.50	5.25	.23
Canned string beans:				
Cut: S & W	Cans of 2 1/2 lbs. cans	4.00	5.75	.31
Green: Libby	Cans of 2 1/2 lbs. cans	3.00	3.00	.10
Vegetables:				
Cut: S & W	Cans of 2 1/2 lbs. cans	5.40	6.20	.34
Extra Standard Florida Cut:				
Mountain fresh	Cans of 2 1/2 lbs. cans	3.65	4.20	.23
Cut clove: S & W	Cans of 2 1/2 lbs. tin	5.35	8.05	.32
Cut clove: S & W	Cans of 2 1/2 lbs. tin	4.05	5.30	1.15
Julienne: S & W	Cans of 2 1/2 lbs. cans	4.05	5.55	.30
Cut green:	Cans of 2 1/2 lbs. cans	4.25	4.85	.20
Premier	Cans of 2 1/2 lbs. cans	4.10	4.10	.22
Kendall:				
Fancy whole: S & W	Cans of 2 1/2 lbs. tin	4.20	4.70	.25
Canned peas and carrots:				
Libby	Cans of 2 1/2 lbs. cans	3.65	4.05	.21
Lily of the Valley	Cans of 2 1/2 lbs. cans	4.25	4.00	.23
Del Monte	Cans of 1 1/2 lbs. cans	2.10	2.40	.23
Canned stringless green beans:				
Cut: Libby	Cans of 2 1/2 lbs. cans	3.42	3.05	.21
Canned spinach:				
Maryland, chief	Cans of 2 1/2 lbs. cans	4.00	4.00	.25
Lily of the Valley	Cans of 2 1/2 lbs. cans	4.25	4.00	.21
Del Monte	Cans of 2 1/2 lbs. cans	4.00	4.00	.25
Palmdale	Cans of 2 1/2 lbs. tin	4.00	4.00	.25
Premier	Cans of 2 1/2 lbs. tin	4.00	4.00	.25
Exquisite	Cans of 2 1/2 lbs. tin	4.00	4.00	.25
Spinach, trimmed:				
Premier	Cans of 2 1/2 lbs. tin	5.20	5.75	.31
Canned mixed vegetables:				
Libby	Cans of 2 1/2 lbs. cans	3.00	4.05	.23
Supreme	Cans of 2 1/2 lbs. cans	4.25	4.25	.23
Premier	Cans of 2 1/2 lbs. tin	3.00	4.50	.23
Del Monte	Cans of 2 1/2 lbs. tin		4.50	.23
Mushrooms:				
Royal French	Cans of 2 1/2 lbs. cans		34.00	1.75
Mushrooms, stems and pieces:				
Premier	Cans of 2 1/2 lbs. tin	14.15	15.15	.50
Del Monte	Cans of 2 1/2 lbs. tin	7.15	7.90	.42
Turnips:				
Turnips, fresh:				
Premier	Cans of 2 1/2 lbs. tin	3.70	4.10	.22
Canned tomatoes:				
Old Mission	Cans of 4 1/2 oz. tin	4.15	4.75	.13
Pimentes, whole pod:				
Sunshine	Cans of 4 1/2 oz. cans	3.75	4.30	.23
Mrs. Georgia	Cans of 4 1/2 oz. cans	4.25	4.85	.13
Almona	Cans of 4 1/2 oz. cans	4.25	4.85	.13
Georgia	Cans of 4 1/2 oz. cans	3.75	4.30	.23
Dromedary	Cans of 4 1/2 oz. cans	3.75	4.30	.23
Revillo	Cans of 4 1/2 oz. cans	4.25	4.85	.13
Pimentes, sliced:				
Osage	Cans of 4 1/2 oz. cans	3.75	4.30	.23

[Table 10 corrected, 8 F.R. 10736, 8 F.R. 10937, effective 7-15-43; Am. 4, 8 F.R. 11047, effective 8-2-43; Am. 7, 8 F.R. 13166, effective 8-1-43; Am. 9, 8 F.R. 14000, effective 10-4-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 16, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 306, 849, effective 1-14-44; Am. 25, 9 F.R. 1042, effective 2-17-44; Am. 27, 9 F.R. 2031, effective 8-2-43]

3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5266, effective 5-2-44; Am. 40, 9 F.R. 6268, effective 6-12-44; Am. 41, 9 F.R. 6884, effective 6-12-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 8-10-44]

(a) The maximum price for all other varieties of commodities listed in Table 10 other than those enumerated therein, shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established.

Sec. 25a. Maximum prices for certain canned vegetable juices sold or delivered in the Territory of Puerto Rico.

TABLE 10a—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLE JUICES

Items and brand names	Unit	Price to wholesaler	Price to whole sale	Retail price per can
V-Eight	Cans of 12 1/8 oz. cans		\$1.80	\$2.07
	Cans of 12 1/8 oz. cans		3.83	4.40
Salder Vegetable Cocktail	Cans of 2 1/2 lbs. cans		3.00	3.45
Hunt Vegetable Juice Cocktail	Cans of 4 1/2 oz. cans		5.05	6.40

[Sec. 25b, Table 10a added by Am. 1, 8 F.R. 10906, effective 7-15-43; Table 10a amended by Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 20, 9 F.R. 306, effective 1-14-44]

Sec. 26. Maximum prices for cattle and beef sold or delivered in the Territory of Puerto Rico. (a) When used in this Table 11 the term:

[Headings amended by Am. 8, 8 F.R. 14090, effective 10-4-43]

(1) "Cattle" means all animals of the domesticated bovine species.

(2) "Cows" means only those female cattle which have conceived or which are five years or more of age.

(3) "Oxen" means castrated male cattle which are five years or more of age and which have been worked two years or more, or male cattle which are five years or more of age.

(4) "Arroba" means the live weight equivalent of 25 pounds of dressed meat.

(5) "Tenderloin" means filete.

(6) "Round meat" (carne de bifteco) means lomillo, masa de cadena, and landredonda, masa larga, babilla and landrellilla.

(7) "Stew meat" (carne de gulasar) means faldilla, pecho, cubrepecho, picuazo, espalda and sobrelomo.

(8) "Soup meat" (carne de sopa) means garron, patas and bones with 25% or more of meat.

(9) "Meat" means tenderloin, round meat, stew meat and soup meat, as defined herein.

Table 11—Maximum prices for cattle sold for slaughter in Puerto Rico and beef at

following:

	Sales at retail (per pound)
Tenderloin	0.65
Round Meat	.45
Stew Meat	.25
Soup Meat	.13

(3) Where the meat is not classified as provided in the previous subsection, the maximum retail prices shall be:

	Sales at retail (per pound)
Tenderloin	0.65
All meat excepting tenderloin	.27

Note: Meat sold at 27¢ per pound in accordance with this paragraph shall not contain more than 35% of bone. Any sale at retail otherwise than in accordance with the two classifications as above described, shall constitute a violation of this regulation.

(5) "Roaster" means any person who is engaged in the business of roasting green coffee.

TABLE 13—MAXIMUM PRICES FOR COFFEE

	To wholesalers	At wholesale and to roasters and to retailers	At retail (per lb.)
Dried parchment.....	\$23.70—122 lbs.....	\$24.70—122 lbs.....	\$0.28
Roasted.....	\$24.00—100 lbs.....	\$25.00—100 lbs.....	.40
in containers in excess of one pound		\$35.40—100 lbs.....	.40
in containers of one pound or less.....		\$36.00—100 lbs.....	.40

NOTE: All prices are delivered except for sales by wholesalers and at retail.

[Table 13 amended by Am. 23, 9 F.R. 1158, effective 1-1-44]

SEC. 29. *Maximum prices for crackers sold or delivered in the Territory of Puerto Rico.*—(a) *Definitions.* When the trade names of "Sport", "Borinquen", "Soda Rica", "Popular", "Boricua" and "Roving"

(1) "Soda crackers, family type" used in this Table 14, the term: "Puerto Rico" (a) *Dejenions*. When (3) "Vanilla crackers" means crackers such as those sold under the trade names of "Princess," "Imperial," "Sunland," "Flor de Vainilla" and "Vanilla Biscuit".

(2) "Soda crackers, standard type" means crackers such as those sold under the name "Family Special".

TABLE 14--MAXIMUM PRICES FOR CRACKERS

Brand	Container, type, and size	To wholesale sellers (per dozen con- tainers)	At wholesale (per dozen containers)	At retail (per con- tainer)
Soda crackers family type:				
Delicious.....	.....	.....	.....	.....
Corona.....	.....	.....	.....	.....
Sea Spray.....	4½ lb. tin.....	\$12.27	\$13.50	\$1.40
Sunland.....	2 lb. container.....	6.33	6.85	.60
Sunland Salines.....	1 lb. container.....	2.81	3.10	.32
Soda Family.....	.....	.....	.....	.....
Family Special.....	.....	.....	.....	.....
Soda crackers, standard type:				
Sport.....	.....	.....	.....	.....
Borinquon.....	4½ lb. tin.....	10.77	11.85	1.25
Soda Rica.....	2 lb. container.....	6.00	6.50	.81
Popular.....	1 lb. container.....	2.66	2.95	.....
Borica.....	.....	.....	.....	.....
Rovira.....	.....	.....	.....	.....
Vanilla crackers:				
Princess.....	7½ lb. tin.....	16.95	18.65	1.95
Imperial.....	4½ lb. tin.....	10.77	11.85	1.25
Sunland.....	4 lb. tin.....	9.56	10.50	1.10
Flor de Vanilla.....	3½ lb. tin.....	8.26	9.20	1.05
Vanilla Biscuit.....	1½ lb. container.....	2.93	3.20	.35
.....	(3 lb. container.....	7.33	8.10	.....
Other varieties:				
Florencitas.....	2½ lb. container.....	7.60	8.05	0.84
Florencitas.....	3 lb. container.....	8.00	9.80	0.94
Borinquon Lunch.....	2½ lb. container.....	3.00	4.20	0.45
Borinquon Lunch.....	2 lb. container.....	7.50	7.90	0.82
Borinquon Lunch.....	5 lb. container.....	12.00	13.20	1.37

[Table 14 amended by Am. 20, 9 F.R. 393, effective 1-14-44]

(a) The maximum price for the above enumerated varieties of soda crackers and vanilla crackers sold loose shall be proportionately computed on the basis of the price fixed for the one pound containers of soda crackers (i. e., family type or standard type, whichever is applicable) and of the one and one-half pound containers of vanilla crackers respectively.

regulation, until the maximum price for such cigarettes has been fixed by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of an amendment or an order prescribing the maximum price for the applicant or for sellers of such cigarettes generally, and shall be a price in line with the maximum prices fixed above on enumerated brands.

(b) The maximum prices for cigarettes of the brands enumerated above sold individually shall be:

Number of cigarettes	On brands re-tailing at 22¢ per pkg.	On brands re-tailing at 21¢ per pkg.	On brands re-tailing at 20¢ per pkg.	On brands re-tailing at 19¢ and 18¢ per pkg.
19	\$0.21	\$0.20	\$0.19	\$0.18
18	.20	.19	.18	.17
17	.19	.18	.17	.16
16	.18	.17	.16	.15
15	.17	.16	.15	.14
14	.16	.15	.14	.13
13	.15	.14	.13	.12
12	.14	.13	.12	.11
11	.13	.12	.11	.10
10	.12	.11	.10	.09
9	.11	.10	.09	.08
8	.10	.09	.08	.07
7	.09	.08	.07	.06
6	.08	.07	.06	.05
5	.07	.06	.05	.04
4	.06	.05	.04	.03
3	.05	.04	.03	.02
2	.04	.03	.02	.01
1	.03	.02	.01	

(c) The maximum prices for De Luxe, Colectiva Largo, Rivalo Largo, Toro Largo and Yankee Largo sold individually shall be 1¢ per cigarette regardless of the quantity in which they are sold.

SEC. 28. *Maximum prices for coffee sold or delivered in the Territory of Puerto Rico.* (a) When used in this Table 13, the term:

(1) "Coffee" means dried parchment coffee, green coffee, roasted coffee and roasted-ground coffee.

2) "Dried parchment coffee" means coffee from which the pulp has been removed, which has been fermented and washed but which still contains the endocarp or vellum covering the bean.

(3) "Green coffee" means dried parchment coffee from which the endocarp or vellum covering the bean has been removed.

(4) "Roasted coffee" means green coffee which has been subject to the process commonly known as torrefaction, commonly known as roasting, and has been removed.

SEC. 26a. *Maximum prices for Dominican beef sold or delivered in the Territory of Puerto Rico.* (a) The maximum price for Dominican beef sold at retail in accordance with the classifications indicated in section 26 for Puerto Rican beef shall be the prices fixed for sales of beef from cattle slaughtered in Puerto Rico.

[Sec. 26a added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 27. *Maximum prices for cigarettes sold or delivered in the Territory of Puerto Rico.*

TABLE 12—MAXIMUM PRICES FOR CIGARETTES

Brand	To whole- saler (per carton of 200)	At whole- sale (per carton, age of 200)	At retail (per pack- age of 20)
Ochesterfield.....	\$1.86	\$1.90	\$0.22
Sund.....			
Old Gold.....			
Wolverey.....			
Cool.....			
Highland.....			
Pineapple.....			
Camel.....			
Phillip Morris.....			
Lucky Strike.....			
Marlton.....			
Chelsea.....			
Sour.....			
Wings.....			
Avalon.....			
Southeast.....			
Roy.....			
Dominio.....			
Mederal.....			
Trotan.....			
Rivale.....			
Masterpiece.....			
Collectiva.....			
Toro.....			
Casino.....			
Violetas.....			
Casino.....			
Xanthen.....			
Do Luxe.....			
Collectiva Largo.....			
Rivale Largo.....			
Toro Largo.....			
Xanthen Largo.....			

(a) No sale of brands of cigarettes other than those enumerated above shall be made after the effective date of this

TABLE 16--MAXIMUM PRICES FOR ENUMERATED VARIETIES OF IMPORTED CRACKERS--Continued

Brand	Container, type and size	To whole- salers (per dozen con- tainers)	At whole- sale (per con- tainer)	At retail (per con- tainer)
National Biscuit Co.:				
Ritz.....	Ctn. 30 1/2 pkgs.	\$2.85	\$3.15	\$3.33
".....	Ctn. 72 1/2 pkgs.	1.76	1.95	.19
Social tea.....	Ctn. 120 5 oz. pkgs.	1.26	1.35	.14
Fig newton.....	Ctn. 9 doz. pkgs. 7 3/4 oz.	1.65	1.80	.10
Gent (small).....	Ctn. 0.68 pkgs.	10.05	21.60	2.68
Lav Trading Co.:				
Walnut cookies.....	Carton 3 doz. pkg. 8 oz.	1.35	1.50	.16
Oatmeal cookies.....	Carton 3 doz. pkg. 8 oz.	1.35	1.50	.16
Hessian crackers.....	Carton 3 doz. pkg. 8 oz.	1.50	1.65	.17
Bury's.....	Carton 3 doz. pkg. 8 oz.	1.50	1.65	.17
Van Highland Cream.....	Ctns. 1 1/4 doz. packages	10.15	11.20	1.53
Chocolate Nut Cookie.....	Ctns. 1 1/4 doz. packages	10.15	11.20	1.53
Van Highland Creams.....	1/8 doz. pkgs.	13.55	14.05	.53 per doz. or .05 per pkg.
Van Highland Chocolate Nut Cookie.....	1/8 doz. pkgs.	13.55	14.05	.53 per doz. or .05 per pkg.
Oreix Bkx.....	1/2 1/10 oz. pkgs.	3.45	3.50	.10
Sugar Wafers.....	1/10 doz. pkgs.	10.85	13.55	.53 per doz. or .05 per pkg.
Homecapun fl.....	1/2 1/10 doz. pkgs.	7.45	8.20	.43
Soya Pretz Stix.....	1/2 doz. pkgs.	10.15	11.15	.53 per doz. or .05 per pkg.
Saffice.....	1/27 oz. pkgs.	4.50	5.20	.65
Petter Pretz Stix.....	1/2 1/10 doz. pkgs.	2.55	2.60	.14
Par Chccz.....	1/2 1/10 doz. pkgs.	3.75	4.15	.43
Concessione Crackin' Co.:				
Crackin' Good Milk Salines.....	1/2 1/10 doz. pkgs.	4.40	4.95	.55
Crackin' Good Milk Lunch.....	1/2 1/10 doz. pkgs.	4.40	4.95	.55
Crackin' Good Cheese Snacks.....	1/2 1/10 doz. pkgs.	4.40	4.95	.55
Crackin' Good Lemon Snacks.....	1/2 1/10 doz. pkgs.	4.40	4.95	.55
Crackin' Good Butter Cookies.....	1/2 1/10 doz. pkgs.	4.40	4.95	.55

1 Per pound or 4 crackers for 5 cents.
2 Per dozen packages or 5 cents per package.
3 Per tin or 1 cent per cracker.
4 Or 2 for 15 cents.

Table 15 amended by Am. 16, 8 F.R. 10034, effective 11-1-43; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2691, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-23-44; Am. 31, 9 F.R. 3919, effective 4-17-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5255, effective 5-22-44; and Am. 43, 9 F.R. 7070, effective 6-16-44.

SEC. 30. Maximum prices for dried beans, dried peas and garbanzos sold in the Territory of Puerto Rico.

	Sales to whole- salers	Sales at whole- sale	Sales at retail
All grades of dried beans and dried peas, except garban- zos, imported from the con- tinent of the United States.....	Price per pound \$0.0655	Price per pound \$0.07	Price per pound \$0.09
All grades of red, pink, and mottled varieties of dried beans not imported from the continental United States.....	.....	.125	.16
All grades of white varieties of dried beans not imported from the continental United States.....	.....	.115	.14

! On home delivered sales the maximum price at retail may be increased by 1 cent per pound.

[Sec. 30 amended by Am. O, 8 F.R. 14090,
effective 10-4-43]

TABLE 15--MAXIMUM PRICES FOR ENUMERATED VARIETIES OF IMPORTED CRACKERS

Brand	Container, type and size	To wholesaler (per dozen cartons)	At wholesaler (per dozen cartons)	At retail (per container)
Keebler	Case of 10 oz. cartons.....	\$2.05	\$2.25	\$0.24
Keebler Butter, Thin Biscuits.....	Cartons 48/12 oz. pkgs.....	10.30	11.35	.30
Keebler Milk Lunch Biscuits.....	Cartons 24/10 oz. pkgs.....	5.60	6.05	.32
Keebler				.35
Croydon Cookies, choc.....	24/10 oz. pkgs.....	3.05	3.35	.35
Croydon sugar cookies.....	24/10 oz. pkgs.....	3.05	3.35	.35
Croydon molasses cookies.....	24/10 oz. pkgs.....	3.05	3.35	.35
Rosemont Cookies, choc.....	48/15 oz. pkgs.....	3.05	3.35	.35
Rosemont Cookies, vanilla.....	48/15 oz. pkgs.....	3.05	3.35	.35
Satinets.....	48/17 oz. pkgs.....	1.35	1.60	.16
Satinets.....	24/10 oz. pkgs.....	2.40	2.65	.23
Graham Crackers.....	24/10 oz. pkgs.....	2.60	2.75	.22
Export Soda.....	8 1/2 3/4 pkgs.....	11.20	12.20	1.27
Family cracker.....	Ctns. 24/14 pkgs.....	2.35	2.60	.27
Sunshine.....	6 lb. tins.....	13.60	14.80	1.55
National Soda.....	6 lb. tins.....	13.60	14.80	1.55
National Soda.....	9 lb. carton.....	11.80	13.00	1.36
"Crabapple"	3 1/2 lb. tin.....	8.25	9.05	.85
Puritan Soda.....	6 lb. carton.....	10.35	11.40	1.10
Superc assorted.....	Ctn. 42/14 pkg.....	2.75	3.00	.31
Tea plager.....	Ctn. 48/7 oz. pkg.....	1.10	1.25	.13
Gema.....	Ctn. 8 1/2 3/4 pkg.....	8.45	9.00	.85
Rice combination.....	Ctn. 8 1/2 3/4 pkg.....	8.50	9.00	.85
Vanilla sandwich.....	Ctn. 8 1/2 3/4 pkg.....	12.70	14.00	1.60
Sandwich assorted.....	Ctn. 8 1/2 3/4 pkg.....	11.55	13.15	1.33
Checco squares.....	Ctn. 24/10 tins.....	3.40	3.75	.39
Animal crackers.....	Ctn. 48/7 oz. pkgs.....	.60	.75	.03
Tea wafer.....	Ctn. 6 1/2 pkgs.....	10.60	10.65	1.10
Imperial lunch.....	Ctn. 8 1/2 pkgs.....	10.45	11.60	1.19
Puritan soda.....	Ctn. 6 1/2 pkgs.....	10.45	11.60	1.19
Checco rambles.....	48/7 oz. pkg.....	.60	.75	.03
Funbo ginger snaps.....	48/7 3/4 oz. pkg.....	1.10	1.25	.13
Large graham.....	48/3 3/4 oz. pkg.....	1.10	1.25	.13
Sandwich assortments.....	48/3 3/4 pkg.....	2.03	2.25	.23
Acme sodas with salt (small).....	12/10 pkg.....	2.35	2.60	.27
Acme sodas with or without salt.....	12/10 pkg.....	4.41	4.85	.43
Acme sodas with or without salt.....	48/3 3/4 oz. pkg.....	.60	.75	.03
Loose Nicks				
Cream lunch.....	Carton 48/2 cartons.....	18.35	20.20	2.15
Cream lunch.....	Cartons 24/10 pkg.....	2.15	2.40	.25
Yum-Yum.....	Cartons 24/10 in.....	4.15	4.55	.47
Checco Strawn.....	Cartons 24/10 in.....	4.15	4.55	.47
Lemon Snaps.....	Cartons 24/10 in.....	4.15	4.55	.47
Animal.....	Cartons 24/10 in.....	4.40	4.85	.50
Chocolato Nuptials.....	Cartons 18/10 in.....	4.15	4.55	.47
Vanilla Wafers.....	Cartons 18/10 in.....	2.10	2.30	.24
Hydrex #100.....	Contains 6 doz. 3/8 ounce.....	2.10	2.30	.24
Clover Leaves #100.....	12 doz. 3/8 ounce.....	1.10	1.25	.13
Clover Leaves #118.....	4 doz. #118, ounce.....	4.10	4.50	.47
Nobility Assortment.....	4 doz. #118, ounce.....	18.20	20.00	2.15
Roney Assortment.....	4 doz. #118, ounce.....	10.60	11.60	1.27
Vienna fingers.....	4 doz. #118, ounce.....	13.65	14.60	1.54
Hydrex.....	4 doz. #118, ounce.....	7.10	7.50	.79
Molasses.....	72 1/2 oz. pkg.....	6.40	6.85	.72
Hi-Jo, Jr.....	30 1/2 oz. pkg.....	12.75	13.25	1.45
Dutch Russia.....	24/10 oz. pkg.....	4.40	4.85	.50
Zwieback.....	24/10 oz. pkg.....	4.40	4.85	.50
Hi-Jo.....	24/10 oz. pkg.....	16.40	18.30	2.07
Soda.....	10 1/2 3/4 oz. pkgs.....	7.40	8.10	.87
Advoca Creams.....	48/8 oz. pkgs.....	7.05	8.75	.98
Vienna Snaps.....	24/14 oz. pkgs.....	17.40	19.20	2.18
Milk Crackers.....	Cartons 04/4 pkgs.....	9.45	10.40	1.03
Soda Crackers, Buggy.....	Cartons 04/4 pkgs.....	8.00	9.50	1.03
Expert, red, Buggy.....	Cartons 04/4 pkgs.....	10.75	12.45	1.33
Noblesse Royal Lunch.....	Cartons 07/14 pkgs.....	10.75	12.45	1.33
Noblesse Royal Lunch.....	Cartons 07/14 pkgs.....	11.05	12.50	1.33
Noblesse rem. biscuit, Rmll.....	Carton 05/310 this.....	2.70	3.00	.31
McGowan-Educator Food Co.....	Ctn. of 24/14 pkg.....	2.70	3.00	.31
Crax.....	Ctn. of 3 1/8 oz. pkg.....	1.60	1.65	.17

Qmax.....	Qm, of 2 1/8 oz. pig.....	1.60	1.05	17
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TABLE 23—MAXIMUM PRICES FOR CERTAIN PACKAGED CEREALS AND GRAINS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per pkg.)
Pillsbury—Continued.				
Aunt Jemima: Pancake.	Case of 24/20 oz. pkg.	\$3.20	\$3.60	\$0.19
Swansdown cake flour.	Ctn. 12-23/4# pkg.	3.20	3.60	.39
Prompter:				
Cake and Pastry Flour.	Ctn. 12/14 oz. pkg.	2.95	3.35	.38
Coarse Baking.	Ctn. 24/20 oz. pkg.	2.15	2.45	.13
4X Patent Flour.	Ctn. 25/24 pkg.	3.40	3.85	.20
General Mills:				
Purity Instant Oats.	Ctn. 24/14 oz. pkg.	2.75	3.00	.16
Purity Oats.	Case of 12/16 oz. pkgs.	3.00	3.40	.37
Purity Oats.	Case of 24/20 oz. pkgs.	3.25	3.70	.20
Nabisco: Scalloped Wheat.	Case of 30 12 oz.	5.15	5.75	.20
100% Rye.	Case of 24 8 oz.	2.30	2.60	.14
Mother Hubbard:				
Golden Center Toasted: Wheat Germ.	Case of 12/16 packages	3.15	3.50	.37
Prompter:				
Barley (medium).	Cts. of 24/10 oz. pkg.	2.30	2.60	.14
Barley (fine).	In 100# bags.	0.22	10.42	.14
Coarse Oatmeal.	In cases of 25#	2.30	2.60	1.14

* Per case.

[Table 23 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 1, 8 F.R. 10906, effective 7-15-43; Am. 7, 8 F.R. 13166, effective 9-1-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 14, 8 F.R. 15704, effective 10-1-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4920, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-22-44; and 43, 9 F.R. 7570, effective 7-10-44]

[* Items amended; ** Items added by Am. 45, effective 8-2-44]

SEC. 37. *Maximum prices for hemp and vermicelli that has not been pre-rope sold or delivered in the Territory of Puerto Rico.*

TABLE 24.—MAXIMUM PRICES FOR HEMP ROPE IMPORTED FROM CUBA

At wholesale..... \$28.00 per cwt.
At retail..... 0.32 per lb.

SEC. 38. *Maximum prices for kerosene sold or delivered in the Territory of Puerto Rico.*

TABLE 25.—MAXIMUM PRICES FOR KEROSENE
The maximum prices of kerosene at wholesale sale are established by Maximum Price Regulation No. 88.

The maximum prices of kerosene at retail establishments as provided in Maximum Price Regulation No. 137 shall be 18¢ per gallon, except that when a quantity of less than one gallon is sold the maximum price shall be 5¢ per quart.

SEC. 39. *Maximum prices for macaroni, spaghetti and vermicelli sold or delivered in the Territory of Puerto Rico—(a) Definitions. When used in Tables 26 and 27 the term:*

(1) "Prepackaged" means an inner and outer sealed, cellophane or paper wrapped, paperboard package.

(2) "Macaroni, spaghetti and vermicelli in bulk" means macaroni, spaghetti

TABLE 26.—MAXIMUM PRICES FOR MACARONI, SPAGHETTI AND VERMICELLI

To whole-salers (per cwt.)	At whole-sale (per cwt.)	At retail (per lb.)
\$7.20	\$7.70	\$0.10

TABLE 27.—MAXIMUM PRICES FOR PREPACKAGED MACARONI, SPAGHETTI AND VERMICELLI

To whole-salers	At whole-sale	At retail (per pkg.)
Cruz Roja de Malta, 32 pkgs. (7 oz. pkg.)	\$1.50	\$2.00
Italy, 20 pkgs. (1/2 lb. pkg.)	1.15	1.25
Italy, 20 pkgs. (1 lb. pkg.)	1.60	2.10
Estrella Roja, 23 pkgs. (1/2 lb. pkg.)	1.80	1.95
La Javanele (8 oz. package)	1.60	1.70
La Javanele (16 oz. pkg.)	14.00	15.50
La Varcongada, 32 pkgs. (8 oz. pkg.)	2.10	2.30
La Varcongada, 80 pkgs. (8 oz. pkg.)	5.05	5.25
Ego, 60 pkgs. (1 kilo)	17.30	19.05
Tampieri, 25 pkgs. (1 lb. pkg.)	4.20	4.60
Remora Brand Naples Style, 20 pkgs. (1 lb. pkg.)	2.75	2.95
Remora Brand Genova Style, 20 pkgs. (1 lb. pkg.)	2.95	3.25

SEC. 36. *Maximum prices for grains and cereals packaged, sold or delivered in the Territory of Puerto Rico.*

TABLE 23.—MAXIMUM PRICES FOR CERTAIN PACKAGED CEREALS AND GRAINS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per pkg.)
Breakfast cereals:				
Cream of wheat.	Case of 30/28-ounce.	\$8.05	\$9.10	\$0.33
Cream of wheat.	Case of 43/14-ounce.	6.30	7.10	.19
Gold Medal:				
Wheaties.	Case of 30/8-ounce.	4.45	5.00	.18
Wheat flakes.	Case of 24/8-ounce.	2.31	2.61	.14
Wheat flakes.	Case of 30/8-ounce.	3.47	3.92	.14
Cheerios.	Case of 24/7-ounce.	3.15	3.55	.17
Kix.	Case of 24/7 oz. ctn.	3.00	3.40	.17
Oats.	Case of 24/14 oz. packages.	3.25	3.65	.19
General Foods:				
Gran Nuts.	Case of 24/8-ounce.	2.75	3.10	.17
Gran Nuts.	Case of 24/10-ounce.	5.30	6.00	.32
Whole Nuts Strips.	Case of 12/10-ounce.	1.75	2.00	.10
Grape Nuts Flakes.	Case of 12/10-ounce.	2.60	2.95	.16
Post Toasties.	Case of 12/10-ounce.	2.60	3.40	.10
Post Toasties.	Case of 30/8-ounce.	2.60	2.95	.10
Post Toasties.	Case of 30/16-ounce.	1.05	1.20	.04
Gran-Nut Wheat Meal.	Case of 12/16-ounce.	3.65	4.10	.24
Gran Nuts.	Case of 24/12 oz. pkg.	1.20	1.35	.04
Gran Nuts.	Case of 60/1 oz. pkg.	1.20	1.35	.04
Gran Nuts Flakes.	Case of 60/1 oz. pkg.	1.20	1.35	.04
Post Toasties.	Case of 60/1 oz. pkg.	1.20	1.35	.04
Kellogg:				
Variety.	Case of 12/10-ounce.	3.00	3.40	.17
Rice Krispies.	Case of 24/6-ounce.	3.15	3.55	.19
All Bran.	Case of 24/10-ounce.	3.15	3.55	.19
Shredded Wheat.	Case of 24/12-ounce.	3.30	3.70	.20
Corn Flakes.	Case of 30/6-ounce.	2.60	2.95	.10
Pop.	Case of 30/8-ounce package.	4.30	4.80	.17
Pillsbury:				
Sno Sheen.	Carton 12-23/4# pkg.	3.30	3.60	.39
Hominy Grits.	Carton 24/1/2# pkg.	2.35	2.60	.14
Farina:				
Pillsbury.	Carton 18-13/4# pkg.	2.85	3.30	.22
National Oats:				
3 Minutes Oat Flakes.	Case of 18/20 ounce tin.	2.60	2.90	.25
4 Minutes Oat Flakes.	Case of 30/20 oz. tins.	7.25	7.75	.25
Quaker:				
Hominy Grits.	Case of 24/24 ounce.	2.35	2.65	.14
Puffed Rice Sparkles.	Case of 24/4-ounce.	3.05	3.45	.19
Puffed Wheat.	Case of 24/4 ounce.	2.60	2.95	.19
Individual Assorted Cereals.	Case of 24/8 ounce.	2.45	2.75	.19
White Cornmeal.	Case of 30/20 ounce tin.	3.10	3.50	.23
Yellow Cornmeal.	Case of 30/20 ounce tin.	2.40	2.75	.23
Yellow Cornmeal.	Case of 12/25 oz. pkg.	2.45	2.70	.23
Yellow Cornmeal.	Case of 24/24 oz. pkg.	2.40	2.65	.14
Corn Meal: White.	Case of 12/24 ounce.	1.15	1.30	.14
Farina:				
Quaker.	Case of 30/24 ounce tin.	6.70	7.55	.27
Quaker.	Case of 12/16 ounce.	1.20	1.35	.15
Quaker.	Case of 12/28 ounce.	2.25	2.55	.23
Vitos.	Case of 24/28 ounce.	3.25	3.60	.18
Quaker.	Case of 24/14 oz. pkg.	2.40	2.70	.15
Flour:				
Aunt Jemima:				
Pancake flour.	Case of 24/30 ounce.	2.80	3.15	.17
Buckwheat.	Case of 12/20 ounce.	1.65	1.75	.19
Gold Medal:				
Gold Medal KT Wheat.	Carton 12/44 oz. ctns.	6.20	6.65	.43
Softasilk Wheat.	Cartons 25/24# pkg.	3.05	3.35	.36
Kitchen-Tested Wheat Flour.	Cartons 25/24# pkg.	3.40	3.85	.20
Pillsbury:				
Best Wheat.	Cartons 25/24# paper pkg.	3.49	3.75	.19
Best Wheat.	Cartons 10/16# paper pkg.	3.00	3.30	.14
Best Wheat.	Cartons 5/10# paper pkg.	2.85	3.15	.14
Best Wheat.	Cartons 4/22# paper pkg.	6.55	6.10	.81
Pancake.	Cartons 24/14# pkg.	2.75	2.75	.17
Buckwheat Pancake.	Cartons 12/14# pkg.	2.00	2.00	.21
Sno-Sheen Cake Flour.	100# net ctns.	6.50	6.50	.21
Farina.	12/24# package	3.45	3.80	.33
Pancake Flour.	12/14# package	2.85	3.25	.22
Pancake Flour.	24/14# package	3.00	3.30	.15
Yellow Cornmeal.	12/14# package	2.10	2.30	.15
Yellow Cornmeal.	24/14# package	2.35	2.70	.15
American Beauty.	Balls of 20/3 lb. bags.	6.40	7.00	.45

Sec. 40. Maximum prices for manufactured dairy products sold or delivered in the Territory of Puerto Rico.

TABLE 28—MAXIMUM PRICES FOR TUBS AND PRINTS OF BUTTER

	To whole-salers (per pound)	At whole-sale (per pound)
Butter in boxes and tubs, Grade A	\$0.52	\$0.53
Butter in prints, not in cartons, Grade A	.54	.60
Butter in prints, in cartons, Grade A	.55	.61

(1) The maximum prices for all butter other than that referred to above shall be established in accordance with the requirements of Maximum Price Regulation No. 280.

TABLE 29—MAXIMUM PRICES FOR CHEESE

Items and brand names	Unit—Case of—	Price to wholesaler	Price at whole-sale	Retail price
Kraft Cheddar Cheese	12 1/2 lbs	\$3.70	\$4.00	\$0.42 per unit.
Natural American Cheddar	14 1/2 oz.	33 lb.	33 lb.	.12 per unit.
Processed Cheddar and Cheddar type	12 1/2 lbs	33 lb.	33 lb.	.45 lb.
Philadelphia Cream Cheese: Kraft	12 1/2 oz. pkg.	.46 per lb.	.61 per lb.	.16 per unit.
Edam Cheese, 4 1/2 lb.	12 1/2 oz. pkg.	.46 per lb.	.61 per lb.	.65 per lb.
Kraft Macaroni and Cheese Dinner	12 1/2 oz. pkg.	.46 per lb.	.61 per lb.	.14.

[Table 29 corrected 8 F.R. 10736, effective 7-15-43; amended by Am. 32, 9 F.R. 4820, effective 6-9-44; Am. 34, 9 F.R. 5255, effective 6-22-44; Am. 43, 9 F.R. 7670, effective 7-10-44; and Am. 44, 9 F.R. 7670, effective 6-16-44]

(1) The maximum prices for all types, grades, or varieties of cheese other than those listed above shall be established in accordance with the requirements of Maximum Price Regulation No. 280.

TABLE 30—MAXIMUM PRICES FOR EVAPORATED MILK

Items and brand names	Unit—Case of—	Price to wholesaler	Price at whole-sale	Retail price
Evaporated Milk	72 1/2 oz. can.	\$3.65	\$4.85	\$0.69
Evaporated Milk	48 1/4 oz. can.	4.39	4.62	.11

[Table 30 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 32, 9 F.R. 4820, effective 6-9-44]

TABLE 27—MAXIMUM PRICES FOR PREPACKAGED MACARONI, SPAGHETTI AND VERMICELLI—Continued

	To whole-salers	At whole-sale	At retail (per pkg.)
Macaroni: Luxury, 48 7/8 oz. pkgs.	\$2.35	\$2.05	\$0.07
Macaroni: Luxury (conellina), cartons 2 1/2 1/2 oz. pkgs.	2.00	2.05	.10
Luxury 7 Minutes, cartons 2 1/2 1/2 oz. pkgs.	1.35	1.55	1.09
Premier 2 1/2 1/2 oz. pkgs.	2.75	3.10	.17
Premier 2 1/2 1/2 oz. pkgs.	1.75	2.00	.11
Caruso 2 1/2 1/2 oz. pkgs.	2.55	2.80	.10
Premier (Elbow), 2 1/2 1/2 pkgs.	1.75	2.00	.11

1 Per cwt. Or 2 for 17

[Table 27 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 34, 9 F.R. 5255, effective 6-22-44; and Am. 43, 9 F.R. 7670, effective 7-10-44]

(1) The maximum prices for varieties of prepackaged macaroni, spaghetti and vermicelli other than those enumerated above shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of an amendment or order prescribing the maximum price for the applicant or for sellers of such macaroni, spaghetti and vermicelli generally, and shall be a price in line with the maximum price fixed on the above enumerated varieties.

TABLE 27a—MAXIMUM PRICES FOR IMPORTED SPAGHETTI PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at whole-sale	Retail price
Macaroni medium pastallina	16 kilos (bulk)	\$3.53	\$7.53	Per lb. \$0.20
Spaghettini pastallina	16 kilos (bulk)	4.23	7.53	.20
Scup pasto pastallina (fines recs)	12 kilos (bulk)	4.23	6.07	.50
Tortellini pastallina	20 kilos (20/400 gms. pkgs.)	6.21	10.53	Per 400 gms. .23
Spaghettini pastallina	20 kilos (20/400 gms. pkgs.)	6.21	10.53	.23

[Table 27a added by Am. 4, 8 F.R. 11617, effective 8-2-43]

TABLE 27—MAXIMUM PRICES FOR PREPACKAGED MACARONI, SPAGHETTI AND VERMICELLI—Continued

	To whole-salers	At whole-sale	At retail (per pkg.)
Ronzoni Brand Egg Noodle Style 12 pkgs. (8 oz. pkg.)	\$1.55	\$1.70	\$0.18
Justice (Glas. of 10 pounds)	.90	1.05	.13 lb.
Pure egg noodles, fine:			
El Xunque, 12 1/2 pkgs.	2.40	2.75	.29
El Xunque, 2 1/2 1/2 pkgs.	2.40	2.85	.13
Pure egg noodles, medium:			
El Xunque, 2 1/2 1/2 pkgs.	2.40	2.75	.29
El Xunque, 2 1/2 1/2 pkgs.	2.50	2.85	.15
Mixed Macaroni with eggs, 2 1/2 1/2 pkgs.			
Premier (egg-fine)	2.75	3.10	.17
Premier Egg Noodles (broad), 2 1/2 1/2 pkgs.	2.75	3.10	.17
Caruso Noodles (egg-fine), 2 1/2 1/2 pkgs.	1.80	2.05	.22
Caruso Noodles (egg), 2 1/2 1/2 pkgs.	2.45	2.80	.15
Caruso Tufoli, 10 1/2 pkgs.	1.55	1.80	.23
Caruso Vermicelli extra fine, 10 1/2 pkgs.	1.75	2.00	.20
Spaghettini (conellina):			
El Xunque, 2 1/2 1/2 pkgs.	2.55	2.90	.16
El Xunque, 4 1/2 1/2 pkgs.	2.70	3.10	.69
Macaroni:			
El Xunque, 2 1/2 1/2 pkgs.	2.59	3.00	.16
Spaghettini:			
El Xunque, 2 1/2 1/2 pkgs.	2.59	3.20	.69
Luxury, 4 1/2 1/2 pkgs.	1.80	2.05	.11
Spaghettini dinner:			
El Xunque, 2 1/2 1/2 pkgs.	2.59	2.65	.07
Spaghettini: Caruso, 2 1/2 1/2 pkgs.	2.59	2.65	.07
Luxury, cartons 2 1/2 1/2 pkgs.	2.59	2.65	.07
Premier, 2 1/2 1/2 pkgs.	2.75	3.10	.17
Tendral, Van Camp, 2 1/2 1/2 pkgs.	2.00	2.25	.12

Sec. 42. Maximum prices for miscellaneous grocery products sold or delivered in the Territory of Puerto Rico.

TABLE 32—MAXIMUM PRICES FOR CERTAIN CORNSTARCH

	Unit	Sales to wholesaler	Sales at wholesale	Sales at retail
National Starch Co. (edible)	Case 40/12 pkgs. Case 144/12 pkgs. Case 96/12 pkgs. Case 80/4 oz. pkg.	\$2.03 9.30 0.20 1.65	\$2.85 10.25 0.80 1.80	Price per pkg. \$0.10 \$0.10 \$0.10 (Per doz.) \$1.30
Malzona Duryon Brand Cornstarch (edible)	Case 40/12 pkg. Ctn. 80/3 oz. pkg.	3.65 2.25	4.00 2.50	Price per pkg. \$0.13 \$0.04
Edible cornstarch, Malzel				

[Table 33 amended by Am. 1, 8 F.R. 10906, effective 7-15-43; Am. 31, 9 F.R. 3949, effective 5-9-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33a—MAXIMUM PRICES FOR INEDIBLE LAUNDRY STARCH

	To whole- saler (price per 100 pounds)	At whole- sale (price per 100 pounds)	At retail (price per pound)
Inedible laundry starch.	\$5.00	\$5.45	1 \$0.07

1 Per pound, or 2 pounds for 13 cents.

[Table 33a added by Am. 9, 8 F.R. 14090, effective 10-4-43; amended by Am. 31, 9 F.R. 3949, effective 4-17-44]

TABLE 33b—MAXIMUM PRICES FOR GELATINE DESSERTS

	Sales at wholesale per dozen	Sales at retail per unit
Jello, all flavors.	\$0.75	\$0.10
Royal, all flavors.	.75	.10

[Table 33b added by Am. 19, 9 F.R. 300, effective 12-24-43]

TABLE 33c—MAXIMUM PRICES FOR VINEGAR

Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price per unit
Vinegar:				
Helinz.	Case 24/16 oz. bottle	\$2.00	\$3.25	\$0.18
Helinz.	Case 12/32 oz. bottle	2.65	2.60	.30
National Food Product Co.	5 gal. keg	3.10	3.40	4.40
Wayne County	Case 24/12 oz. bottle	2.60	2.20	.12
Sterling Cider Co.	Case 4/1 gal. jugs	2.60	2.75	.89
Premier (elder)	Case 12/qs.	2.30	*2.65	*.78
S & W	4/1 gal. jugs	2.30	2.45	.78
Monumental	12/qs. bottles	2.75	3.00	.32
Old Dominion	4/1 gal. jugs	2.00	2.25	.70
Cider:	12/qs. bottles	2.25	2.50	.27
Majestic	Cartons of 4/1 gal. jugs	1.65	1.80	.83

[Table 33c added by Am. 19, 9 F.R. 300, effective 12-24-43; amended by Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 37, 9 F.R. 5256, effective 5-22-44; and Am. 43, 9 F.R. 1572, effective 7-10-42]

*Items amended by Am. 45, effective 8-2-44]

TABLE 31—MAXIMUM PRICES FOR KIM, NIDO, KRAFT, GOLDEN STATE AND DRICO BRANDS OF POWDERED WHOLE MILK

	All sales except at retail (price per carton) sale of—			At retail (price per tin)
	1 to 4	5 to 10	20 or more cartons	
12 one-lb. tins	\$0.80	\$0.70	\$0.60	\$0.65
6 two-and-one-half lb. tins	7.45	7.35	7.15	1.40
6 five-lb. tins	13.70	13.60	13.20	2.50

[Table 31 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 15, 8 F.R. 15741, effective 10-15-43]

TABLE 31a—MAXIMUM PRICES FOR CERTAIN PREPARED POWDERED MILK

Brand	Price at wholesale	To whole-saler	At retail per unit
Lactogen, in cartons of 24 1 lb. tins:			
One to 4 dozen tins.	\$20.75	\$10.75	\$1.00
5 dozen tins and over.	20.75	10.25	2.40
Lactogen in cartons of 12 1/2 lb. tins.	23.40	23.40	38
Aveset light cream, 30 1/2 pints.	10.50	10.50	.60
Aveset milk mix, 24 1/2 pints.	11.10	11.10	.45
Aveset heavy cream, 30 1/4 pints.	12.45	12.45	.45

[Table 31a added by Am. 27, 9 F.R. 2831, effective 3-20-44; amended by Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7570, effective 6-16-44]

Sec. 41. Maximum prices for matches sold or delivered in the Territory of Puerto Rico—(a) Definitions. When used in Table 32 the term:

(1) "Boxed wooden safety matches" means wooden safety matches, with a specially prepared head such as Signal Light, Palmer, Independence, Hav-a-lite, Red Stop and Criterion, which normally light only when struck on a specially prepared surface and which are packed in two piece wooden splint or paperboard boxes generally containing 35 to 50 matches.

TABLE 32—MAXIMUM PRICES FOR MATCHES

(1) All varieties of boxed wooden safety matches

Sales at wholesale—\$1.15 per gross, or a price derived by applying a mark-up over direct cost of 10¢ per gross, whichever results in a lower price

Sales at retail—1¢ per box.

(2) Certain Cuban wax matches

(a) The maximum prices for all varieties of Cuban wax matches other than those enumerated above, for folding book matches and for any other varieties of matches than those enumerated herein, shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of amendment or order prescribing the maximum price for the applicant or for sellers of such matches generally and shall be a price in line with the maximum prices fixed above on enumerated brands.

	At whole-sale (per gross)	At retail (per box)
Yumuri No. 100	\$3.43	\$0.07
Yumuri No. 6	0.64	.06
Yumuri No. 2	3.53	.04
Falsan No. 100	0.60	.06
Candado No. A	3.31	.03

TABLE 33d—MAXIMUM PRICES FOR REFINED SALT

Item and brand name		Price to wholesaler	Price at wholesale	Retail price per unit
Table salt:				
Diamond Crystal	Ctn. of 24/23 oz. pkg.	\$1.89	\$2.00	\$9.11
Sterling	Ctn. of 24/23 pkg.	1.70	1.69	.10
Sterling	Ctn. of 24/23 1/2 pkg.	1.49	1.69	.66
Carey's	Ctn. of 24/23 1/2 pkg.	1.49	1.69	.66
Carey's	Ctn. of 24/23 pkg.	1.60	2.63	.11
Carey's Fine Salt	1007 ctn.	1.70	1.83	.63
Jefferson	Ctn. of 24/23 oz. pkg.	1.45	1.69	or 2 for .63
Jefferson	Ctn. of 24/23 pkg.	2.69	2.29	.11
Jefferson	Ctn. of 24/23 1/2 pkg.	1.49	1.69	.66
Jefferson	1007 ctn.	1.69	1.75	.63
Myle's	Ctn. of 24/23 pkg.	1.89	2.69	or 2 for .63
Myle's	1007 bags	1.65	1.85	.63
News Hardy's	Ctn. of 24/23 lb. pkg.	1.89	2.69	.11
Myles Rock	Ctn. of 24/23 lb.	1.45	1.65	.66
Gordy Evaporated Salt	Ctn. of 24/23 1/2 pkg.	1.45	1.65	.66
Watkins	Ctn. of 24/23 pkg.	1.70	1.69	.10

[Table 33d added by Am. 19, 9 F.R. 300, effective 12-24-43; amended by Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 32, F.R. 4820, effective 5-9-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33e—MAXIMUM PRICES FOR SYRUPS

Items and brand name:	Unit.	Price to whole- saler	Price at whole- sale	Retail price (per unit)
Log cabin syrup	Ctn. 24/16 oz. bottles	\$5.89	\$6.35	\$9.34

[Table 33e added by Am. 27, 9 F.R. 2831, effective 3-20-44]

TABLE 33f—MAXIMUM PRICES FOR MISCELLANEOUS GROCERY PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Maxwell House Tea	Ctns. 24/4 oz. pkg.	\$5.55	\$9.00	Per unit \$9.33
Premium No. 1 Chocolate	Ctns. 48/1/2 lb.	7.19	7.45	.29
Calumet Baking Powder	Ctns. 24/8 oz.	1.55	2.25	.13
Calumet Baking Powder	Ctns. 24/25 oz.	5.45	6.69	.33
Fleischman baking powder	107 cans.		1.17	
Instant Postum	Ctns. 24/4 oz.	6.25	6.69	.33
Gaines Dog Meal	Ctns. 12/2 pound bags		2.59	.25
Gaines Dog Meal	Ctns. 12/3 pound bags		4.69	.69
Gaines Krunchon	Ctns. 12/2 pound bags		2.25	.25
Dog meal:				
Ken-L-Biskit small cakes	18/23 oz.	4.10	4.75	.24
Ken-L-Biskit Kib. Med	18/2 lbs.	4.69	5.69	.33
Ken-L-Meal	12/3 lbs.	3.19	3.75	.33
**Pard-Dog Food	**Case 48/3 oz. pkgs.		**4.75	**13
Top Hat	Case of 48/3 oz. tin		4.69	.10

¹ Per pound.

[Table 33f added by Am. 28, 9 F.R. 3156, effective 3-28-44; amended by Am. 40, 9 F.R. 6253, effective 6-12-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

[**Items added by Am. 45; effective 8-2-44]

TABLE 33g—MAXIMUM PRICES FOR LAUNDRY BLUING

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Laundry bluing: All brands	Cases 12/1 gross eq. Cases 169 ctns. of 32 rqs. each.	\$12.09 22.25	\$14.49 28.69	4 squares for 65

[Table 33g added by Am. 31, 9 F.R. 3949, effective 4-17-44]

TABLE 33h—MAXIMUM PRICES FOR CERTAIN BOTTLED OLIVES AND CAPERS

Item and brand names	Unit (case of)—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Olives:				
Silvia Brand:				
Stuffed Manzanilla	24/2 oz.	\$3.65	\$3.25	\$9.18
Stuffed Manzanilla	24/3 1/2 oz.	5.79	6.15	.33
Stuffed Queen	12/14 oz.	7.15	7.75	.84
Stuffed Queen	12/21 oz.	9.85	10.65	1.15
Plain Queen	24/3 oz.	2.89	3.05	.17
Plain Queen	24/3 1/2 oz.	4.70	5.29	.23
Plain Queen	12/14 oz.	4.75	5.69	.53
Plain Queen	12/21 oz.	6.25	6.75	.73
Libby Brand:				
Stuffed Manzanilla	24/3 cyl. 3 oz. net.	4.35	4.89	.26
Queen Olives, thrown	12/32 macan jar (21 oz. net)	6.89	7.35	.80
Rosedale Stuffed Manzanilla, thrown	24/3 oz.	3.25	4.35	.24
Rosedale, Stuffed Manzanilla, thrown	12/12.	4.19	4.69	.43
Iberia Brand: Stuffed Olives	48/3 1/2 oz.	6.69	7.69	.19
Olives and Capers:				
Silvia Brand	24/2 oz.	2.39	2.69	.14
Iberia Brand	48/3 1/2 oz.	5.45	5.69	.16

TABLE 33h—MAXIMUM PRICES FOR CERTAIN BOTTLED OLIVES AND CAPERS—Continued

Item and brand names	Unit (case of)	Price to wholesaler	Price at wholesale	Retail price (per unit)
Stuffed Manzanilla Olives:				
Alameda.....	Case 24/40 Par. 5 oz. jar.....		\$7.00	\$0.37
Lippincott.....	12/11 1/2 oz. glass.....		9.00	.85
Lippincott.....	12/7 1/2 oz. glass.....		5.75	.60
Lippincott.....	24/3 oz. glass.....		6.00	.30
Premier.....	24/3 oz. glass.....	\$5.20	6.70	.36
Premier.....	24/5 oz. glass.....	6.25	6.70	.36
Premier.....	24/11 1/2 oz. glass.....	7.85	8.45	.90
Manzanilla Olives: Lippincott.....	24/303 (9 1/2 oz.).....	6.35	6.00	.32
Ripe Olives, Giant Libby.....	24/303 (9 1/2 oz.).....	7.10	6.85	.41
Ripe Olives, Super Colossal: Premier.....	24/9 oz. glass.....		7.70	.37
Plain olives:				
Lindsay (extra large green ripe).....	24/pis. glass.....	5.40	5.80	.31
Lindsay (ripe olives).....	24/O pis. glass.....	4.50	4.90	.25
Amapola.....	12/11 oz. jars.....	4.30	4.70	.51
Amapola.....	24/3 oz. jars.....	3.55	3.90	.22
Amapola.....	48/6 1/4 oz. glass.....	7.00	8.20	.22
Stuffed olives: Bordelaise.....	24/5 oz. glass.....	3.15	3.50	.18
Olives and capers: La Andaluz.....				
Amapola.....	Case 24/10 oz. avd. jar.....		7.15	.39
Amapola.....	24/8 oz. avd. jar.....		6.10	.33
Amapola.....	24/6 oz. avd. jar.....		5.05	.27
Amapola.....	24/2 glass.....	2.80	3.10	.17
Capers: L'Aligon.....				
Amapola.....	24/2 oz.....		4.35	.22
Stuffed olives:				
Sweet Life.....	24/3 oz. glass.....		5.05	.20
Sweet Life.....	24/9 oz. bot.....		5.80	.30
Premier.....	24/3 oz. glass.....	5.30	5.80	.31
Lippincott.....	24/6 1/2 oz. glass.....		10.80	.58
Plain Queen Olives:				
Sweet Life.....	24/13 1/4 oz.....		2.60	.13
Sweet Life.....	24/7 oz.....		6.95	.36
Lippincott.....	24/6 1/2 oz.....		5.60	.30
Lippincott.....	Case 24/4 1/2 oz. Paragon #8.....	5.10	5.60	.30
Lippincott.....	24/10 oz. Paragon #10.....		10.10	.53
Lippincott.....	24/5 1/2 oz. Oyl. #10.....		6.70	.35
Queen Olives, Flaced:				
Premier.....	Case 12/12 1/2 oz. glass.....	4.75	5.20	.56
Premier.....	24/5 oz. glass.....	3.25	3.50	.19
Lippincott.....	12/21 oz. glass.....	6.00	7.40	.51
Lippincott.....	24/4 1/2 oz. glass.....		5.80	.31
Queen Olives, thrown:				
Mart.....	12/15 oz. glass.....	5.00	5.50	.59
Mart.....	12/22 oz. glass.....	7.00	8.20	.83
Stuffed Queen Olives:				
Premier.....	12/10 1/4 oz. glass.....	6.45	7.00	.75
Premier.....	12/24 oz. glass.....	13.45	14.40	1.55
Lippincott.....	12/14 oz. glass.....		8.80	.96
Lippincott.....	12/11 1/2 oz. glass.....		9.00	.93

[Table 33h added by Am. 31, 9 F.R. 3949, effective 4-17-44; amended by Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5266, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33i—MAXIMUM PRICES FOR FOOD DRINKS

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Thompson Chocolate: Malted Milk.....	Cs. 12/1 1/2 tin.....		\$4.40	\$0.45
Ovaltine:				
Plain (small).....	12/6 oz. in glass.....		3.80	.40
Chocolate (small).....	12/8 oz. in glass.....		3.80	.40
Plain (large).....	12/14 oz. in glass.....		7.10	.75
Chocolate (large).....	12/16 oz. in glass.....		7.10	.75
Chocolate (hospital).....	12/3 1/2 in glass.....		22.80	2.40
Cocomat.....	24/8 oz. in glass.....		5.50	.30
Cocomat.....	12/16 oz. in glass.....		4.75	.50
Cocomat.....	Case 12/20 oz. tins.....		4.85	.62
Kresto.....	Case of 253 pgs. of 3 envelopes of 15 grams.....		19.00	1.03

1 Package of 3 envelopes.

[Table 33i added by Am. 31, 9 F.R. 3949, effective 4-17-44]

[*Items added by Am. 45, effective 8-2-44]

TABLE 33j—MAXIMUM PRICES FOR PACKAGED RAISINS

Item and brand names	Unit	Price at wholesale	Retail price (per unit)
Raisins: Trojan.....	Case of 48/15 oz. pkgs.....	\$7.25	\$0.21

[Table 33j added by Am. 32, 9 F.R. 4820, effective 5-9-44]

TABLE 33k—MAXIMUM PRICES FOR BABY FOODS

Items and brand names	Unit, case of	Price at wholesale (per doz.)	Retail price (per unit)
Strained or homogenized:			
All brands.....	12/4 1/2 or 4 1/2 oz. tin.....	\$0.90	\$0.10
All brands.....	12/5 oz. glass.....	1.15	.12
Chopped or juniors:			
All brands.....	12/6 1/2 oz. tin.....	1.15	.12
All brands.....	12/8 oz. tin.....	1.80	.20
Baby dry cereal & oatmeal:			
Gerber.....	24/8 oz. pkg.....	1.65	.18

[Table 33k added by Am. 34, 9 F.R. 5255, effective 5-22-44]

TABLE 33l—MAXIMUM PRICES FOR IMPORTED DRIED OR DEHYDRATED FRUITS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Prunes: Del Monte.....	25 lbs. ctn.....		\$5.15	\$0.23 lb.
Prunes:				
Hearts Delight 50/50.....	Case 25 lbs.....		4.05	22 lb.
Hearts Delight 50/50.....	Case 25 lbs.....		4.60	25 lb.
Oro 70/30.....	Case 25 lbs.....		4.05	22 lb.
Oro 70/30.....	Case 25 lbs.....		4.60	25 lb.
Premier Sta. Clara 40/60.....	Case 25 lbs.....		4.45	27 lb.
Premier Sta. Clara 40/60.....	Case 25 lbs.....		4.90	30 lb.
S & W 30/40.....	Case 25 lbs.....		4.70	25 lb.
S & W 40/60.....	Case 25 lbs.....		4.70	25 lb.
Raisins:				
Del Monte.....	Case of:			
S & W California 3 Crown Seed Raisins.....	49/15 oz.....		8.40	24 lb.
S & W Seedless.....	23 lbs.....		3.75	20 lb.
Atlas Sun-dried Bleached.....	23 lbs.....		3.65	20 lb.
Atlas Sun-dried Currants.....	23 lbs.....		4.60	35 lb.
Del Monte Zante Currants.....	25 lbs. in.....		4.90	35 lb.
Diabert.....	Case 49/16 oz. pkg.....		7.15	20 pkg.
Muscatel Seedless Thompson 3 Crown.....	30 lbs.....		5.45	25 pkg.
Sunkist.....	Case 49/16 oz. pkg.....		7.15	20 pkg.
Raney Seedless (Premier).....	Case 49/16 oz. pkg.....		5.75	22 pkg.
Choice Seedless (Premier).....	25 lbs case.....		3.05	10 lb.
Dates: S & W Fresh.....	15 lbs.....		11.55	1.04 lb.
Figs:				
S & W Puffed Calimyrna.....	Case of:			
S & W Puffed Calimyrna.....	24/8 oz. pkg.....		7.20	45 pkg.
S & W Puffed Black.....	24/1 lb. pkg.....		16.00	30 pkg.
S & W Puffed Black.....	24/8 oz. pkg.....		5.35	31 pkg.
Premier Calimyrna.....	24/1 lb. pkg.....		11.00	32 pkg.
Premier Calimyrna.....	24/1 1/2 pkg.....		14.95	34 pkg.
Premier Calimyrna.....	24/8 oz. pkg.....		7.50	42 pkg.

[Table 33l added by Am. 37, 9 F.R. 5256, effective 5-22-44; amended by Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33m—MAXIMUM PRICES FOR PICKLES, RELISH AND CONDIMENTS

Items and brand names	Unit (case of)	Price at wholesale	Retail price (per unit)
Libby Brand:			
Mustard.....	24/9 oz. glass.....	\$2.75	\$0.15
Mustard.....	4/1 gal. glass.....	4.35	1.45
Dill pickles.....	4/105 (33 oz.) glass.....	3.75	1.22
Del Monte Brand:			
Pickles (all varieties).....	24/6 oz. glass.....	3.27	.13
Relishes (all varieties).....	24/12 oz. glass.....	6.70	.31
Relishes (all varieties).....	12/21 oz. glass.....	4.50	.43
Midwest sweet pickles.....	24/12 oz. glass.....	6.00	.53
Whole dill pickles.....	12/21 oz. glass.....	3.33	.33
Chow Chow.....	12/21 oz. glass.....	3.90	.52

(12) "Zone I" means the following municipalities:

[Table 33m added by Am. 40, 9 F.R. 6358, effective 6-12-44; amended by Am. 41, 9 F.R. 6884, 7077, effective 6-12-44]

Seco. 43. *Maximum prices for fluid milk sold or delivered in the Territory and Puerto Rico.*—(a) *Registration and reports.* (1) Every distributor of milk and every store in which milk is sold shall file with the Office of Price Administration for the Territory of Puerto Rico at San Juan, Puerto Rico, on or before the 5th day of each successive month, a report of his operations for the preceding month upon Form No. PRM 1 duly filled out and signed either by himself or by his properly authorized agent.

(2) Every producer and distributor of milk and every store in which milk is sold which has not registered upon Forms PRM2 and PRM3 duly filled out and signed either by himself or his property authorized agent, shall immediately register upon such forms with his Local Board.

(3) On and after the effective date of this regulation every person who becomes a producer, every person who becomes a distributor of milk, and every store which begins to sell milk shall immediately register at his Local Board.

(b) When used in this Table 34 the term:

(1) "Milk" means cow's milk produced, processed, distributed, and sold for consumption in fluid form as whole milk.

(2) "Pasteurized milk" means milk that has been pasteurized by submitting it to a temperature between 142° F. and 145° F. for thirty minutes, and that has been immediately cooled and thereafter maintained at a maximum temperature of 53.6° F. or 12° C. and has not been repasteurized, and which is sold or served only in the original container in which it left the factory and in no less quantity than that contained in the original container.

(3) "Raw milk" means all milk that is not pasteurized milk.

(4) "Producer of milk" means any person who sells the milk which he produces to distributors and stores.

(5) "Distributor of milk" means any person not excluding a producer, but excluding a puesto or store, who is in the business of selling milk delivered to stores, to volume customers and to consumers.

(c) "Store" means any person including a puesto, booth, stall or stand, except a distributor who sells milk at retail.

(7) "Small container" means a container other than a paper container manufactured for the express purpose of containing milk, with a capacity of one quart, one pint, or one-half pint.

(8) "Paper container" means a paper or cardboard container manufactured for the express purpose of containing milk with a capacity of one quart.

(9) "Loose milk" means milk sold in any container furnished by the seller except a small container or a paper container, or in any container, including a small container or paper container furnished by the purchaser.

(10) "Volume customer" means institutions, the Armed Forces, eating establishments, or industrial users, and other similar users.

(11) "Point of use" means the location of the store or puesto or the location of the volume customer or consumer receiving delivery from a distributor.

(12) "Zone I" means the following municipalities:

Agundilla.
Bayamon.
Caguan.
Cataño.
Cibola.
Fajardo.
Guaynabo.
Naguabo.
Ponce.
Rio Piedras.
San Juan.
Ton Alta.
Ton Baja.
Vieques.

[Subparagraph (12) amended by Am. 9, 8
F.R. 14090, effective 10-1-43]

(13) "Zone II" means the following municipalities:

Adjuntas.
Aguada.
Aguas Buenas.
Albionito.
Arecibo.
Arroyo.
Barceloneta.
Carmy.
Carolina.
Humacao.
Isabela.
Jayuya.
Juncos.
Lajas.
Luquillo.
Manati.
Mayaguez.
Moca.

Cayey.
 Río Grande.
 Santa Isabel.
 Trujillo Alto.
 Utuado.
 Vega Alta.
 Vega Baja.
 Yauco.

[Subparagraph (13) amended by Am. 9, 8 F.R. 14090, effective 10-1-43; Am. 16, 9 F.R. 16741, effective 11-1-43; Am. 31, 9 F.R. 3949, effective 4-17-44]

(14) "Zone III" means the following municipalities:

Anasco.	Maunabo.
Barraquitas.	Moravia.
Cabo Rojo.	Orocovia.
Cidra.	Patillas.
Comerio.	Penuelas.
Culebra.	Quebradillas.
Gunnica.	Rincon.
Hormigueros.	Sabana Grande.
Juana Diaz.	San German.
Lares.	Salinas.
Las Marias.	San Lorenzo.
Lola.	San Sebastian.
Las Piedras.	Villalba.
Maricao.	Xabuco.

[Subparagraph (14) amended by Am. 16,
8 F.R. 15741, effective 11-1-43; Am. 31, 9
F.R. 3949, effective 4-17-44]

TABLE 34.—MAXIMUM PRICES FOR MILK

1. Producers maximum prices for raw or pasteurized milk.

(a) For sales of milk by a producer to a store, the maximum price is the price set forth below for the zone in which the store is located.

Size of container supplied by producer:

Quart.....	Maximum additions \$0.01 per quart.
Pint.....	.005 per pint.
Half pint.....	0.00375 per half pint.

(e) Distributors may make cash payments to producers at any time during a month, but such payments shall be subject to settlement at the end of such month by determining the difference between the cash payments and the maximum payments computed by the method set forth above. The cash payments which may be made during the month to each producer shall not exceed the amount computed by multiplying the maximum price per quart in the lowest price zone in which any of the milk sold by the distributor finds its point of use by the total number of quarts sold to the distributor by the producer during the month.

Example: During a given month Producers A, B, C, and D supplied Distributor X with milk in the following amounts:

Producer A—	3,500 quarts, loose.
Producer B—	2,000 quarts, in quart containers.
Producer C—	9,500 quarts, in pint containers.
Producer D—	9,000 quarts, in half pint containers.
	24,000 quarts.

In addition to the 24,000 quarts received from these producers, Distributor X sold 1,000 quarts of milk he himself produced. The total number of quarts sold during July by Distributor X was 25,000. Of this total 10,000 quarts was pasteurized so the value of this portion shall be computed at the rate of \$0.13 per quart. The point of use of the remaining 15,000 quarts was divided among the zones as follows:

Zone I,	8,000 quarts (rate of \$0.13 per quart).
Zone II,	5,000 quarts (rate of \$0.11 per quart).
Zone III,	2,000 quarts (rate of \$0.095 per quart).

The method to be used by Distributor X in computing the maximum price per quart of loose milk is set forth in the following table:

Type of milk	Point of use	Number of quarts sold by distributor	Rate	Value computed by multiplying column 3 by column 4
Raw milk, loose.....	Zone I.....	8,000	\$0.13	\$1,040.00
Raw milk, loose.....	Zone II.....	5,000	.11	550.00
Raw milk, loose.....	Zone III.....	2,000	.095	190.00
Pasteurized milk, loose.....	All zones.....	10,000	.13	1,300.00
Total number of quarts sold.....				13,080.00
Total value.....				

(b) For sales of raw or pasteurized milk by a producer delivered to a consumer or volume customer, maximum prices for sales by the producer are the same as the maximum prices established for sales by distributors to a consumer or volume customer.

(c) For sales of milk by a producer to a distributor, the producer's maximum price shall be a weighted average price computed by the distributor on a monthly basis. Each distributor shall determine the maximum price to be paid to each of its producers at the end of the month on the basis of the total sales made by the distributor during the month. The type of milk, whether raw or pasteurized, whether it is loose or in small containers, and the point of use of the milk are the factors to be used by the distributor in determining the maximum price to be paid to producers. The distributor shall compute monthly the total value of the milk sold by him at the rate of \$0.13 per quart for all pasteurized milk, \$0.13 per quart for all raw milk whose point of use is in Zone I, \$0.11 per quart for all raw milk whose point of use is in Zone II, and \$0.095 per quart for all raw milk whose point of use is in Zone III. The distributor shall determine the weighted average price, which represents the maximum price which may be paid to producers, by dividing the total value of the milk sold by him during the month by the total number of quarts sold by him during the month; and in order to arrive at the maximum payment which may be made to each producer, shall multiply the weighted average price by the total number of quarts supplied by each producer.

(d) If, on sales of raw or pasteurized milk, to distributors or stores, the producer supplies a small container the producer's maximum price may be augmented by the following:

The weighted average price per quart is determined by dividing the total value by the total number of quarts sold:

3080	= .1232 maximum price per quart
25000	= .1232 maximum price per quart
Producers A's cash payment and total payment for the month is computed as follows:	
3500 x .095 = \$332.50 cash payment	
3500 x .1232 = 431.20 total payment	
Producers B's cash payment and total payment for the month is computed as follows:	
2000 x .095 = \$190.00 cash payment	
2000 x .1232 = 246.40	
2000 x .01 = 20.00 Maximum addition for quart containers	
	\$266.40 total payment

Producers C's cash payment and total payment for the month is computed as follows:

9500 x .095 = \$902.50 Cash payment	
9500 x .1232 = 1170.40	
19000 x .005 = 95.00 Maximum addition for pint containers—9,500 quarts equals 19,000 pints	
	\$1265.40 Total payment

3. Distributors' and stores' maximum prices for raw milk.

RAW MILK

Points of use		Zone I		Zone II		Zone III	
		Qt.	Pt.	Qt.	Pt.	Qt.	Pt.
Sales by distributors							
To stores delivered or not delivered:							
Loose.....		13	Cts.	11	Cts.	9 1/2	Cts.
In small containers.....		14	7	3 1/2	6	3	5 1/2
Sales by distributors and stores							
To volume customers delivered or not delivered:							
Loose.....		13 1/2		13 1/2		11 1/2	
In small containers.....		10 1/2	8 1/2	4 1/2	7 1/2	4	12 1/2
To consumers delivered or not delivered:							
Loose.....		16	8	4	7	4	12
In small containers.....		17	0	5	8	4	13

NOTE: The maximum price for milk sold in paper containers shall be the prices fixed in the above tables for milk sold in small containers plus 2¢ per quart as an allowance for the additional cost of the container.

[Above note amended by Am. 25, 9 F.R. 1942, effective 2-17-44]

(a) Deposit charges on containers. No deposit charge shall be made for any milk container with the exception of glass small containers furnished by the seller in connection with the sale of bottled milk. On such bottles a deposit of 10¢ may be imposed,

which shall be refunded to the depositor upon the return of the bottle.

(b) Charges for long distance deliveries on pasteurized milk. No charge for the transportation of milk shall be made or collected, except that in connection with the sale and delivery of pasteurized milk to the Armed Forces of the United States and to Municipal

Producer D's cash payment and total payment for the month is computed as follows:

9000 x .095 = \$855.00 Cash payment	
9000 x .1232 = 1108.80	
36000 x .00375 = 135.00 Maximum addition for half pint containers—9,000 quarts equals 36,000 half pints	
	\$1243.80 Total payment

2. Distributors' and stores' maximum prices for pasteurized milk.

Sales by distributors		Quart		Pint		Half pint	
		Cents		Cents		Cents	
To volume customers and consumers (delivered):							
Loose.....		18		10		5	
In small containers.....		19					
To volume customers and consumers, (not delivered):							
Loose.....		17		9		5	
In small containers.....		18					
To stores in small containers (delivered or not delivered):							
Sales by stores (delivered or not delivered):		15		7 1/2		4	
To consumers in small containers.....		18		9		5	

(3) On deliveries other than those specified above, the Director of the Office of Price Administration for the Territory of Puerto Rico may, upon application, authorize the exchange and collection of an amount per truck trip, in addition to the applicable maximum price to cover the actual cost incurred in making such delivery.

SEC. 44. *Maximum prices for onions and garlic sold or delivered in the Territory of Puerto Rico.*

TABLE 3F.—MAXIMUM PRICES FOR IMPORTED ONIONS

	Sales at wholesale (price per 50 lbs.)	Sales at retail (price per pound)
Imported onions	\$3.75	\$0.10

[Table 35 amended by Am. 45, effective
8-2-44]

TABLE 36—MAXIMUM PRICES FOR 'ALL GARLIC'

	Sales to wholesalers (price per lb.)	Sales at retail (price per lb.)	Sales at retail (£0.20 per lb. £0.60 per head.)
Gallie.....	£0.22	£0.25	

[Table 36 amended by Am. 4, 8 F.R. 11847, effective 8-2-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 26, 9 F.R. 1942, effective 2-17-44]

TABLE 37—MAXIMUM PRICES FOR PACKING HOUSE PRODUCTS—Continued

[illegible]

1 On sales of less than a full container the maximum wholesale price may be increased by one quarter of a cent (\$0.0025 pound).

2 On sales of less than four pounds the maximum retail price shall be \$0.45 per pound.

Table 37 corrected, 8 F.R. 10730, effective 7-15-43; amended by Am. 5, 8 F.R. 12939, effective 8-26-43; Am. 6, 8 F.R. 14090, effective 10-4-43; Am. 15, 8 F.R. 15741, effective 10-4-43.

and Insular Institutions the following charges shall be allowed:

(1) The Puerto Rico Dairy, Inc., and Las Tres Montañas Dairy may charge and collect, in addition to the applicable maximum price for milk not delivered, the following amounts for each truck trip involved in the delivery of pasteurized milk from their plants in San Juan and Río Piedras:

	Per truck trip
To Borinquen Field.....	\$42.00
To Loscy Field.....	32.00
To Henry Barracks.....	16.75
To Camp Tortuguero.....	16.25
To Fort Buchanan.....	12.50

(2) In the event that delivery is made to more than one of the enumerated points in the course of a truck trip prior to returning to the plant, the total delivery charge shall not exceed the charge fixed per truck trip to the more distant point.

TABLE 36—ALASKA

Garlic.....

[Table 36 amended by Am. 4, 8 F.R. 11847, 10-1-13; Am. 25, 9 F.R. 1842, effective 2-17-41]

SEC. 45. Maximum prices for packing house products sold or delivered in the Territory of Puerto Rico.

TABLE 37—MAXIMUM PRICES FOR PACKING HOUSES

	Sales to wholes. cans (price per pound)	Sales at whole- sale (price per pound)	Sales at retail (price per pound)
Lard and rendered pork fat:			
Pork:			
Flakes and cakes of 50	\$0.165	\$0.175	\$0.21
Ties of 34 to 37 pounds.....	.10	.17	.29
Cured hams.....	.125	.175	.20
Dried back.....		.250	.30
Corned beef.....			
Pork:			
Bacon, smoked, originating	.30	.335	.44
in the continental United	.325	.37	.47
States, commercial type.....	.20	.280	.37
Boston butt's, all sizes.....	.140	.150	.19
Briskets.....	.140	.150	.19
Clear ribs.....	.140	.150	.19
Fat backs, dry salt.....	.140	.150	.19
Fat backs, pickled.....	.140	.150	.19
Heads and tails pickled.....	.140	.150	.19
Jowl butts, pickled.....	.140	.150	.19
Neck bone, dry salt.....	.140	.150	.19
Pine ham, smoked.....	.140	.150	.19
Prestick, dry salt.....	.140	.150	.19
Shoulders, cured.....	.140	.150	.19
Smoked ribs, cut.....	.140	.150	.19
Smoked ham, skinned.....	.140	.150	.19
Sliced ham, skinned.....	.140	.150	.19
Stuffed ham, skinned.....	.140	.150	.19
Tenderloins, skinned.....	.140	.150	.19
Ties of 34 to 37 pounds.....	.10	.17	.29
Cured hams.....	.125	.175	.20
Dried back.....		.250	.30

37, 9 F.R. 5258, effective 5-22-44; Am. 40, effective 10-15-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-1-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 43, 9 F.R. 5258, effective 6-12-44; and, Am. 43, 9 F.R. 7570, effective 7-10-44.]

[* Items amended by Am. 45 effective 8-2-44.]

SEC. 46. *Maximum prices for dry sausages sold or delivered in the Territory of Puerto Rico.*

TABLE 38—MAXIMUM PRICES FOR DRY AND FRESH SAUSAGES AND SALAMI

Items and brand names	Unit	Price to wholesaler (per pound)	Price at wholesale (per pound)	Retail price (per pound)
Dry sausages:				
Farmer.....	Pound.....	\$0.47	\$0.50	\$0.63
Holstein.....	Pound.....	.47	.50	.60
Mortadella.....	Pound.....	.46	.48	.64
Gotenburg.....	Pound.....	.475	.505	.66
Salami, Genoa:				
First grade.....	Pound.....	.63	.66	.82
Second grade.....	Pound.....	.59	.62	.81
Third grade.....	Pound.....	.55	.58	.74
Salami BO first.....	Pound.....	.60	.63	.77
Salami Second.....	Pound.....	.45	.48	.64
Salami Cotto BO.....	Pound.....	.36	.38	.44
Salami Tramonzo.....	Pound.....	.39	.40	.53
Frankfurters (coco):				
First grade S. O.....	Pound.....		.3650	.51
H. C. or skinned.....	Pound.....		.3350	.47
Second grade S. O.....	Pound.....		.3350	.47
H. C. or skinned.....	Pound.....		.3050	.43
Frankfurters in brine.....	Pound.....		.42	.53
(If prepared per pound add 16 more per pound)				
Pork sausage first S. O.....			.3920	.55
Pork sausage H. O.....			.3920	.56
Pork sausage second S. O.....			.34	.47
Pork sausage H. O.....			.31	.44
(If prepared per pound add 14 more per pound)				
Boletina:				
Lean, large or ring.....			.3930	.53
First grade.....			.3700	.50
Second grade.....				
Smoked liver sausage (liverwurst) lean				
First grade.....			.34	.49
Second grade.....			.32	.45
Each liver sausage:				
First grade.....			.31	.43
Second grade.....			.29	.41

Table 38 amended by Am. 9, 8 F.R. 14990, effective 10-4-43; Am. 28, 9 F.R. 3159, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 37, 9 F.R. 5296, effective 5-22-44; Am. 40, 9 F.R. 6298, effective 6-12-44.

SEC. 47. Maximum prices for soap and cleaners.

TABLE 39—MAXIMUM PRICES FOR CERTAIN BOATS AND CLEANERS

[illegible]

TABLE 39—MAXIMUM PRICES FOR CERTAIN SOAPS AND CLEANERS—Continued

Items and brand names	Unit	Price at wholesale	Retail price
Toilet soap—Continued			
Lifebuoy.....	Ctn. 100/4 oz.	7.20	Per unit .09
Lifebuoy.....	Ctn. 144/3 oz.	6.45	.06
Lifebuoy.....	Ctn. 500/1 oz.	6.95	2 for 0.11
Swan.....	Ctn. 100/regular	7.75	.02
Cashmere Bouquet.....	Ctn. 144/17/8 oz.	6.70	.10
Palmolive.....	Ctn. 144/2 oz. bars	5.70	.08
Maxine.....	Ctn. 144/33/4 oz. bar	8.80	.09
Lux.....	250/2 ounce cakes	8.14	.04
Ivory medium.....	100/6 ounce cakes	8.35	.10
Ivory large.....	100/10 ounce cakes	13.60	.17
Palmolive.....	500/1 oz. bar	10.30	.03 or 2 for 50
Lifebuoy.....	500/1 oz. bar	7.60	.02
Soap chips:			
Balloon Brand.....	Case of 8—4 pound, 10 ounce packages	4.65	.75
Lux Flakes (regular).....	100 pkgs.—5 ounces	9.65	.12
Lux Flakes (regular).....	50 pkgs.—5 ounces	4.80	.12
Lux Flakes (large).....	20 pkgs.—12 1/4 ounces	4.75	.20
Rinsol (regular).....	60 pkgs.—9 ounces	5.80	.12
Rinsol (large).....	24 pkgs.—1 pound, 8 ounces	5.80	3.30
Rinsol (giant).....	8 pkgs.—4 pounds, 5 ounces	5.50	.85
Easy Task.....	8 pkgs.—5 pounds	3.60	.56
Super Suds.....	Case of 60's/9 oz.	5.80	.12
Super Suds.....	Case of 24's/1 lb. 8 oz.	5.80	.30
Ivory Flakes.....	Case 60/5 oz.	6.05	1.13
Ivory Flakes.....	Case 24/12 1/2 oz.	6.05	.32
Powdered soap:			
Snowboy.....	100—7 ounces	3.19	.04
Gold Dust.....	100—7 ounces	3.75	.05 or 2 for 0.09
Victoria.....	Case of 24/2 lb. pkgs.	6.80	.36
Perilous.....	Case of 120/8 oz.	3.45	.04
Octagon.....	Ctn. 100/7 oz. pkg.	3.20	.04
Octagon.....	Ctn. 120/7 oz. pkg.	3.80	.04
Extracto Babbitt.....	Ctn. 144/5 oz. pkg.	3.50	.03
Cleaners:			
Babbitt Cleaner (fiber tops and bottoms).....	48—14 ounces	2.50	.06
Bab-O (metal tops and bottoms).....	48—14 ounces	5.60	.14
Palco.....	48—16 ounces	3.00	.08
Alum-Brite cleansing powder.....	cs. 12/8 oz. boxes	1.05 case	.12
Alum-Brite cleansing powder.....	cs. 12/16 oz. boxes	1.68	.20
Babbitt Cleaner (fiber tops and bottoms).....	Case 48/14 oz.	2.50	.07
Palco.....	Case 48/16 oz.	2.95	.08
Chic.....	Case 48/14 oz.	2.65	.07
Crystal White.....	Case 48/13 oz.	2.50	.07
Farola.....	Case 48/14 oz.	2.65	.07
Octagon.....	Case 48/13 oz.	2.50	.07
Volcanic.....	Case 50/14 oz. can	4.50	.11
Sunshine.....	Case 48/14 oz. can	2.80	.07
Big Boy Polishing Powder.....	Case 36/12 oz. can	3.50	.12
Limpia Mucho.....	Ctn. 100/10 1/2 oz. cakes	4.90	.06
Sapallo.....	Ctn. 36/284 gums. cakes	3.40	.12
Kay-Tee.....	Ctn. 48/12 oz. pkg.	2.75	.07
Alumglow.....	Ctn. 12/16 oz. glass	*3.26	*.38

* 2 for \$0.25.

* 2 for \$0.13.

* 2 for \$0.15.

[Table 39 amended by Am. 7, 8 F.R. 13165, effective 9-1-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 15, 8 F.R. 15741, effective 10-1-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 34, 9 F.R. 5255, effective 5-22-44; and Am. 41, 9 F.R. 6884, effective 6-12-44]

[*Items amended by Am. 45, effective 8-2-44]

(a) All laundry soap is included in Table 39. The maximum prices for toilet soap and soap chips of varieties other than those enumerated in the above Table 39 shall be established in accordance with the requirements of the General Maximum Price Regulation.

Sec. 48. *Maximum prices for Southern Yellow Pine, Douglas Fir, Oak and Gum lumber on sales to ultimate consumers.*

(a) The maximum prices for Southern Yellow Pine, Douglas Fir, Oak and Gum lumber sold to an ultimate consumer shall be computed by adding to the "direct cost to the importer" (defined in section 17 (a) (4)) a markup of \$12.50 per thousand board feet of such lumber and the actual transportation costs from the pier to the point at which the ultimate consumer receives delivery. For the purposes of this section the term: "ultimate consumer" includes the United States Government and the Insular Government or the

agencies or instrumentalities of either, contractors or builders, or any person who purchases lumber for use rather than for resale as lumber.

(1) Regardless of the number of dealers or distributors handling the lumber the total amount of markups may not exceed \$12.50 for each thousand board feet.

(2) The transportation cost may not exceed the customary carrier charge for a similar shipment, whether such transportation be accomplished by a common or contract carrier or by a dealer, distributor or seller.

(b) Within five days after receipt in Puerto Rico of a shipment of Southern Yellow Pine, Douglas Fir, Oak and Gum lumber for sale, the importer shall file with the Office of Price Administration for the Territory of Puerto Rico, San Juan, a statement setting forth in detail the direct cost to the importer, including the price the importer paid, all discounts allowed, all costs of shipment, customs

and entry fees, and war risk insurance cost.

(c) Every person selling Southern Yellow Pine, Douglas Fir, Oak and Gum lumber shall accompany each sale of such lumber with an invoice on which shall be stated his name and address, the name of the person from whom the lumber was purchased, the date of such purchase, a description of the lumber, and a detailed calculation of the price charged as follows: the "direct cost to the importer" as reported to the Office of Price Administration pursuant to paragraph (b) above, the local transportation charges which have accrued, the charge for transportation to the purchaser, and the markup which has been added.

[Section heading and paragraphs (a), (b), and (c) amended by Am. 46, effective 8-2-44]

(d) The maximum price established in section 48 (a) is a gross price to which may be added no additional charges for breakage, warehousing, handling, or any other services or incidents of sale than those specifically authorized by this amendment.

(e) The direct cost of all lumber received in any one shipment shall be uniform despite variations in grade or dimensions unless the lumber has been purchased by the importer at different prices in accordance with varying grades and dimensions, in which case the differences in purchase price for such grades and dimensions may be reflected in the calculation of the direct cost.

[Sec. 48 added by Am. 2, 8 F.R. 11437, effective 8-21-43; paragraph (c) added by Am. 4, 8 F.R. 11847, effective 8-31-43]

SEC. 49. *Maximum prices for second hand bags sold or delivered in the Territory of Puerto Rico—(a) Definitions.*

When used in this section 49 the term:

(1) "Second hand bag" means an empty container composed of burlap, jute, sisal, istle, cotton cloth, gunny cloth, or other textile material which has either been previously used to package any commodity or is manufactured from any such textile material which material itself has been previously used to package any commodity or for any other commercial purpose. The term shall include an "unmendable" bag. It shall not include a bag containing a commodity packaged therein nor a container composed of any of the above textile materials which material has deteriorated to an extent that it is no longer sufficiently sound for reuse as a container, commonly referred to by the trade as "junk" or "waste" material.

(2) "Collector" means any person who gathers second hand bags from persons, who remove the contents from the bags, known in the trade as "emptiers".

(3) "Bag dealer" means any person who processes, reconditions, or places second hand bags in condition for reuse.

(4) "Consumer" means any person who uses second hand bags for packaging a commodity therein.

(5) "Capacity" means the number of pounds of the product which the bag was constructed to contain.

(6) "Processed" or "in order" bag means a second hand bag of sound material which is clean and free from holes. A bag shall be considered free from holes if all holes including trier or probe holes, have been patched or mended.

(7) "Unprocessed" or "as rise" bag means second hand bag of sound material which is not clean or which requires patching or mending.

(8) "Unmendable" bag means, "unprocessed" bag of sound material which can be reused as a container but which is cut or torn from previous use to such an extent that it cannot feasibly be mended or patched to fit the specifications of a "processed" or "in order" bag.

TABLE 40—MAXIMUM PRICES FOR SECOND HAND BAGS

	Capacity 100 pounds or less (per bag)	Capacity Over 100 pounds (per bag)
To collectors:		
Processed bags.....	\$0.12	\$0.20
Unprocessed bags.....	.10	.18
Unmendable bags.....	.08	.15
To dealers (delivered):		
Processed bags.....	.14	.23
Unprocessed bags.....	.12	.21
Unmendable bags.....	.10	.18
To consumers (delivered):		
Unprocessed bags.....	.13	.23
Unmendable bags.....	.11	.20
Processed or "in order" bags.....	.165	.28

[Sec. 49 added by Am. 3, 8 F.R. 11847, effective 8-12-43; subparagraphs (6), (7) and (8) added and Table 40 amended by Am. 9, 8 F.R. 14090, effective 10-4-43]

SEC. 50. Maximum prices for certain fresh vegetables sold or delivered in the Territory of Puerto Rico.

(a) When used in this Table 41 the term:

(1) "Seed potatoes" means potatoes which are sold in their original container, which is marked seed potatoes, to wholesalers and to growers.

[Paragraph (a) and subparagraph (1) added by Am. 8, 8 F.R. 13847, effective 9-27-43]

(2) "Table potatoes" means all potatoes except seed potatoes.

(3) "Native tomatoes" means all wrinkled surface varieties of tomatoes produced in Puerto Rico.

(4) "Marglobe fancy tomato" means a tomato, no less than 2½ inches in diameter measured at a right angle from its axis, of a uniform shape and with a smooth surface, which is free from dirt, decay, insects and mechanical injury.

(5) "Marglobe first class tomato" means a tomato, no less than 1¾ inches in diameter measured at a right angle from its axis, of a fairly uniform shape and with a fairly smooth surface, which is free from dirt, decay, insects and mechanical injury.

(6) "Marglobe second class tomato" means a tomato, with an unwrinkled surface which does not fit the specifications for a marglobe fancy or a marglobe first class tomato.

(7) "Standard lug" means a wooden box measuring 6"x13.5"x16".

(b) *Trade practices.* On sales of marglobe fancy tomatoes at wholesale, when such tomatoes are packed in standard lugs, the seller shall be permitted a tolerance of not more than 5% in the size of the fruit and of not more than 5% for fruit damaged as the result of transportation; when such tomatoes are packed in containers other than standard lugs, the seller shall be permitted a tolerance of not more than 8% in the size of the fruit and of not more than 8% for fruit damaged as the result of

transportation. On sales of marglobe first class tomatoes at wholesale when such tomatoes are packed in standard lugs, the seller shall be permitted a tolerance of not more than 5% in the size of the fruit and of not more than 8% for fruit damaged as the result of transportation; when such tomatoes are packed in containers other than standard lugs the seller shall be permitted a tolerance of not more than 10% in the size of the fruit and of not more than 10% for fruit damaged as the result of transportation. The minimum net weight of each standard lug shall be 23 pounds for fancy and 30 pounds for first class marglobe tomatoes.

[Subparagraphs (2), (3), (4), (5), (6) and (7) and paragraph (b) added by Am. 9, 8 F.R. 14030, effective 10-4-43]

TABLE 41—MAXIMUM PRICES FOR CERTAIN FRESH FRUITS AND VEGETABLES SOLD OR DELIVERED IN THE TERRITORY OF PUERTO RICO

Product	Sales to wholesalers (per 100 pounds)	Sales at wholesale (unit specified)	Sales at retail	
			Not delivered (per pound)	Home delivered (per pound)
Cabbage, including all varieties and grades.....		Per 100 lbs. \$4.50	\$9.67	\$9.63
Pigeon peas, green including all varieties and grades.....		10.00	.13	.14
Potatoes (imported from the continental United States):				
Seed.....	\$1.50	4.20		
	3.25	3.75	.05	.05
Tomatoes, "Native", including all grades.....				
		Per standard lug \$3.92	.20	.22
Tomatoes, "Marglobe" fancy.....				
		Per 100 lbs. net \$12.00	.20	.22
Tomatoes, "Marglobe" first class.....				
		Per standard lug \$3.20	.16	.18
		Per 100 lbs. net \$10.00	.16	.18
Tomatoes, "Marglobe" second class.....		8.75	.09	.11
Beans, green including all varieties and grades not imported from the continental United States.....			.125	.15

¹ On home delivered sales the maximum price at retail may be increased by 1c per pound.

[Sec. 50 and Table 41 added by Am. 5, 8 F.R. 12549, effective 8-23-43; Table 41 amended by Am. 8, 8 F.R. 13847, effective 9-27-43; Am. 9, 8 F.R. 14090, effective 10-13-43; Am. 20, 9 F.R. 398, effective 1-14-44; amended by Am. 41, 9 F.R. 6334, 7060, effective 6-12-44]

TABLE 41a—MAXIMUM PRICES FOR TABLE POTATOES SOLD OR DELIVERED IN THE TERRITORY OF PUERTO RICO

	Sales to wholesalers (per 100 pounds)	Sales at wholesale		Sales at retail (per pound)
		At cellars warehouses (per 100 pounds)	Delivered (per 100 pounds)	
Potatoes.....	\$4.25	\$4.75	\$4.75	\$9.00

SEC. 51. Maximum prices for Puerto Rican and Cuban corn brooms sold or delivered in the Territory of Puerto Rico—(a) *Definitions.* When used in this Table 42 the term:

(1) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms and brushes.

TABLE 42—MAXIMUM PRICES FOR BROOMS MADE OF BROOM CORN

Quality No. of strings	At wholesale (per dozen)	At retail (per broom)
2.....	\$6.00	\$0.60
3.....	7.50	0.75
4.....	8.75	0.91
5.....	10.00	1.04
6.....	10.85	1.13

[Sec. 51, Table 42 added by Am. 6, 8 F.R. 12632, effective 8-19-43; section headnote amended by Am. 27, 9 F.R. 2331, effective 3-20-44]

SEC. 52. Maximum prices for charcoal sold in the Territory of Puerto Rico.

TABLE 43—MAXIMUM PRICES FOR CHARCOAL

	From January 1 to May 31		From June 1 to December 31	
	Not delivered	Delivered	Not delivered	Delivered
One 100 lb. capacity burlap bag	\$0.60	\$0.65	\$0.70	\$0.75
One 5 gallon tin ²	.17	.19	.20	.22
One 4 pound capacity ³ paper bag	.04	.05	.05	.06

¹ Prices include the bag container.

² Prices do not include container.

³ Prices include the paper bag container.

NOTE: A burlap bag used as a measure of content for sales of charcoal shall contain no less than 3 full five gallon tin measures. The 5 gallon tin must be undented and filled to capacity. The maximum price for charcoal sold in containers other than those specified above shall be a price proportionately computed on the basis of container of the nearest capacity.

[Sec. 52 and Table 43 added by Am. 9, 8 F.R. 14090, effective 10-10-43; Note amended by Am. 25, 9 F.R. 1942, effective 2-17-41.]

SEC. 53. Maximum prices for alarm clocks sold or delivered in the Territory of Puerto Rico.

TABLE 44—MAXIMUM PRICES FOR WAR ALARM CLOCKS

	At wholesale	At retail
War alarm clocks (Gross prices including all taxes)	\$1.55	\$2.00

[Sec. 53 and Table 44 added by Am. 10, 8 F.R. 14765, effective 10-13-43; Table amended by Am. 20, 9 F.R. 398, effective 1-14-44.]

SEC. 54. Maximum prices for textile products sold or delivered in the Territory of Puerto Rico—(a) Definitions. When used in this section, the term:

(1) "Textile product" means a manufactured material or article consisting in chief part of wool or other animal fibre, cotton, rayon, silk, linen or synthetic textile fibre by whatever process manufactured, which falls within either Group A, Group B, or Group C, as listed below:

GROUP A

Piece goods, yard goods or pound goods, and all garments with the exception of headwear and footwear and garments enumerated in Group B or Group C.

GROUP B

Aprons.
Arm bands.
Awnings.
Bandanas.
Bath mats.
Bedspreads.
Belts.
Bibs.
Blankets.
Canvas.
Chair slip covers.
Cleaning rags.
Clothes lines.
Collars.
Comforts.
Couch slip covers.
Counterpanes.

GROUP B—Continued

Cuffs.
Curtains.
Diapers.
Dinner sets.
Dish cloths.
Dollies.
Drapes.
Dress arm shields.
Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of less than \$5.00 each.
Duffel bags.
Dust shields for garments.
Dusting cloths.
Elastic.
Garters.
Fishing line.
Gloves.
Handkerchiefs.
Hosiery.
Hot dish holders.
Hot pot holders.
Infant's binders.
Laundry bags.
Luncheon sets.
Mantillas.
Mattress covers.
Mattress pads.
Men's suits having a direct cost to the importer or factory price if locally produced of more than \$13.00 each.
Mittens.
Mops.
Mosquito nets.
Napkins.
Neckties.
Oilcloth.
Pillow cases.
Polishing cloths.
Quilts.
Rugs.
Scarfs.
Seat covers.
Sewing thread.
Sheets.
Shawls.
Shoe bags.
Shower curtains.
Slacks having a direct cost to the importer or factory price if locally produced of more than \$5.00 each.
Sport coats having a direct cost to the importer or factory price if locally produced of more than \$10.00 each.
Suspenders.
Table cloths.
Table pads.
Tape measures.
Ticking.
Toilet seat covers.
Towels.
Umbrellas.
Vests.
Wash cloths.
Wrapping twine-string.
Yarn.

GROUP C

Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of \$5.00 or more each.
Dresses and suits (children's) sizes 12 or under in dresses and 16 or under in suits, having a direct cost to the importer, or factory price if locally produced, of more than \$18.00 per dozen.
Ribbon-dress, laces, lace edgings, rick-racks, bias tape, garment bindings, embroidery and tape other than gummed or adhesive.

[Subparagraph (1), group A and B amended, and Group C added by Am. 22, 9 F.R. 686, effective 12-13-43; Group C amended by Am. 30, 9 F.R. 3514, effective 4-6-44.]

(2) "Job lot" means a single purchase of a group of units of textile products all of which in trade terms are "remnants",

"shorts", "seconds", "pound goods", "imperfects", "close outs", or "substandards".

(3) "Textile reference book" means a book containing the seller's descriptive entries of the stock which he has on hand and which he is offering for sale.

(4) "Reference stock number" means the numbers employed by the manufacturer or supplier and the seller to identify a textile product.

(5) "Class of textile products" means a group of units of a textile product all of which are identically priced and which are received in one delivery.

(6) "Custom tailor" and "dressmaker" means manufacturers who sell to ultimate consumers in their own establishment, garments manufactured by them to individual specifications and at the special order of such ultimate consumer.

(b) *Maximum prices for imported textile products.* Seller's maximum prices for imported textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) For a product which is not part of a job lot and which has been imported by the seller, the maximum price shall be the direct cost to the importer multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.20	1.60
B	1.25	1.69
C	1.25	1.76

(2) For a product which is not part of a job lot and which has not been imported by the seller:

(i) The maximum price at wholesale shall be the price paid for it by the seller if he purchased it before December 13, 1943, and the price which the importer is permitted to charge for it under this regulation if the seller purchased it on or after December 13, 1943.

(ii) The maximum price at retail shall be the price paid by the retailer multiplied by:

Group:	Sales at retail
A	\$1.25
B	1.29
C	1.40

[Subparagraphs (1) and (2) amended by Am. 22, 9 F.R. 686, 3341, effective 12-13-43]

(3) For a product received in a job lot part of which job lot has been sold prior to December 13, 1943, the maximum price shall continue to be established in accordance with the General Maximum Price Regulation.

[Subparagraph (3) amended by Am. 22, 9 F.R. 686, effective 12-13-43]

(4) For a job lot sold intact as received the maximum price shall be computed by multiplying the direct cost of the job lot by the applicable multiplier in accordance with section 54 (b) (1).

(5) For each product received in a job lot, the maximum price shall be the price fixed by the seller, provided that the total of the prices charged for each product within the job lot in which the particular product was received, does not exceed the maximum price for the job

lot, and provided that he notifies the Office of Price Administration of such prices in accordance with the requirements of section 54 (f).

(6) If a job lot consists of items falling within more than one of the groups of textile products set forth in section 54 (a) (1), the maximum price for the entire lot shall be computed by applying the lowest multiplier appropriate to any item in the lot.

[Subparagraph (5) amended and (6) added by Am. 22, 9 F.R. 686, effective 12-13-43]

(7) Notwithstanding the foregoing provisions, any seller who has continuously sold an imported textile product pursuant to the conditions and prices of a written resale price maintenance contract executed by him with the manufacturer prior to April 1942 without any deterioration in quality since that date may apply to the Director of the Office of Price Administration for an order permitting him and other sellers similarly situated to sell such product at the price specified in the contract, or at a price equal to the direct cost to the importer of such product multiplied by 1.67, whichever is lower.

(c) *Maximum prices at retail for locally manufactured textile products.* A seller's maximum prices for locally manufactured textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) The maximum price at retail for a product which is not part of a job lot shall be the factory price paid by the retailer, multiplied by:

Group:	Sales at retail
A-----	\$1.50
B-----	1.60
C-----	1.75

(2) The maximum price at retail for a product which is part of a job lot shall be the price fixed by the seller: *Provided*, That the total of the prices charged for each product within the job lot in which the particular product was received does not exceed the maximum price for the entire job lot determined in accordance with section 54 (c) (1): *And provided*, That he notifies the Office of Price Administration of such prices in accordance with the requirements of section 54 (f) as applicable.

(3) Sellers at retail of locally manufactured textile products shall request from the manufacturer a sales invoice showing the following information: (i) date of the sale, (ii) number and description of units sold, (iii) the price charged per unit or in the sale of a job lot the price charged for the entire lot.

(4) If a job lot consists of items falling within more than one of the groups of textile products set forth in section 54 (a) (1), the maximum price for the entire lot shall be computed by applying the lowest multiplier appropriate to any item in the lot.

(d) *Trade practices.* The markups authorized herein are gross markups which shall not be exceeded regardless of the number of sellers handling a textile product. No seller shall change his customary allowances, discounts or other price differentials or his customary al-

teration charges unless such change results in a lower net price.

(e) *Prohibited practices.* It shall be unlawful for any seller to improperly classify a textile product for the purpose of evading the appropriate pricing provision herein. It shall be unlawful for any seller to revise any maximum price fixed on a textile product and entered in his textile reference book except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots.* Within five days of his first sale of a textile product from a job lot the seller shall file a statement with the Territorial Office of Price Administration, San Juan, Puerto Rico, and a duplicate thereof with his local War Price and Rationing Board, which statement shall show (1) the name and address of the person from whom the job lot was purchased, (2) a description of the job lot, (3) the number of units included in each class of textile products, (4) the direct cost of the job lot to the seller if it was imported by the seller, or the price paid for the job lot if it was not imported by the seller, (5) the reference stock numbers assigned as provided in paragraph (f), (6) the selling price of each unit or group of units as determined in accordance with the pricing provisions of paragraph (b) of this section, and the over-all markup taken by the seller on the job lot.

(g) *Identification of textile products.* Every seller shall assign a separate reference stock number to each price classification of textile products and shall clearly identify the physical merchandise with the reference stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

[Paragraph (g) amended by Am. 30, 9 F.R. 3514, effective 4-6-44]

(h) *Textile reference book.* (1) Every person selling textile products shall prepare a textile reference book which he shall keep and make available for examination by the Office of Price Administration, in which shall be entered prior to the time any textile product is sold or offered for sale, the following information for each price classification of textile products in the seller's stock: (i) The reference stock number, (ii) a description of the units comprised, (iii) the name and address of the supplier, except in the case of merchandise from a job lot, (iv) the date of delivery except in the case of merchandise in a job lot, (v) the multiplier used in computing the maximum price, (vi) the direct cost to the seller or the price paid by the seller whichever price is material in accordance with the pricing provisions utilized, and (vii) the seller's selling price at wholesale or at retail depending upon the level at which he sells.

(2) The maximum price charged by each seller and entered in his textile reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the

result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the textile reference book shall be made in numerical sequence. Textile products received by the seller which are identical to products earlier entered into the reference book shall be re-entered under a new reference stock number.

(i) *Notification to customers.* Every person selling an imported textile product except at retail shall with each delivery supply the purchaser with a statement, which may be included in and made a part of the seller's invoice, specifying with respect to each price classification delivered: (1) the seller's reference stock number, (2) a notation of the pricing provision employed, (3) the number and description of units sold, and (4) the price charged. This provision supersedes section 11 (b) (1) of Revised Maximum Price Regulation 183 with respect to sales of imported textile products.

Section 14 ("Sales Slip and Receipts" of the General Maximum Price Regulation) apply to sales of textile products by local manufacturers.

[Paragraph (i) amended by Am. 22, 9 F.R. 636, effective 12-13-43]

(j) *Exemptions.* The provisions of this section 54 shall not apply to the following:

(1) Sales of textile products by religious or charitable institutions. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

(2) Sales of uniforms and accessories for the armed forces. Prices are established by the Army or Navy Uniform Services.

(3) Sales at retail by manufacturers, of textile products manufactured in their own factory. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

(4) Sales by custom tailors and dressmakers, as defined in paragraph (a) (6) of this section. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

[Sec. 54 added by Am. 11, 8 F.R. 15195, effective 11-22-43; amended by Am. 33, 9 F.R. 5436, effective 5-22-44; and as otherwise noted]

Sec. 55. *Maximum retail prices for toys and games.* The maximum retail price for toys and games sold or delivered in the Territory of Puerto Rico shall be computed as follows:

(a) On imported toys and games the direct cost to the importer, as defined in section 17 (a) (4) may be multiplied by 1.75.

(b) On toys and games manufactured in the Territory of Puerto Rico the price charged by the manufacturer, which in no event may exceed the maximum price established by any applicable price regulation or order, may be multiplied by 1.75.

[Sec. 55 added by Am. 12, 8 F.R. 15363, effective 11-11-43]

TABLE 46—MAXIMUM PRICES FOR IMPORTED LIQUORS

Items and brands	Size	Importer-wholesaler	Retail per unit
Scotch whiskeys:			
Vat 69	Cases of 12/6ths.	\$41.75	\$4.75
White Horse	Cases of 12/6ths.	41.75	4.75
Black & White	Cases of 12/6ths.	41.75	4.75
White Label	Cases of 12/6ths.	40.25	4.75
Queen Anne	Cases of 24/2	41.75	2.40
House of Lords	Cases of 12/4½ quart.	40.50	4.75
King's Ransom	Cases of 12/4½ quart.	40.50	4.75
The Antiquary	Cases of 12/4½ quart.	47.00	7.50
Johnnie Walker Red Label	Cases of 12/Imperial Litr.	64.00	2.70
Johnnie Walker Black Label	Cases of 24/4½ pint.	46.50	5.25
Johnnie Walker Black Label	Cases of 12/4½ pint.	45.25	3.15
Johnnie Walker Black Label	Cases of 12/4½ pint.	54.25	6.00
Weston's Special Reserve	Cases of 12/Imperial Litr.	53.00	6.50
MacNair's	Cases of 12/4½ quart.	56.00	4.75
Martins V. V. O.	Cs. 12¾ qts	42.00	4.75
Martins DeLuxe (12 yrs.)	Cs. 12¾ qts	42.00	6.75
Martins DeLuxe (20 yrs.)	Cs. 12¾ qts	40.00	7.75
Old Angus	Cs. 12/6ths	42.00	4.75
Balmain's	Cs. 12¾ qts	40.50	4.75
Hanky Farmer	Cs. 12¾ qts	46.25	5.25
Special Blend, Peter Dawson	Cs. 12¾ qts	43.25	5.00
Special Blend, J. P. Mackay:	Cs. 12¾ qts	44.00	3.15
Shannon Whiskies:	Cs. 12¾ qts	27.25	4.50
Sagamun's V. O.	Cases of 12/6ths	30.00	4.50
Graham's Club	Cases of 12/6ths	30.00	4.50
Canadian rye whiskey	Cases of 12¾ qts	30.00	4.50
AMERICAN WHISKIES			
Rye:			
Mt. Vernon	Cases of 12/6ths	26.25	3.00
Mt. Vernon	Cases of 24/16 oz.	31.00	1.80
Old Overholt	Cases of 12/6ths	20.25	3.00
Old Crow	Cases of 12¾ qts	27.50	3.20
Old Schenley	Cs. 12¾ qts	27.50	3.20
Old Schenley	Cs. 24 pints.	33.00	2.00
Bourbon:			
Old Grand Dad	Cases of 12/6ths	31.00	3.50
Old Grand Dad	Cases of 24/16 oz.	31.00	1.75
Old Crow	Cases of 12¾ qts	27.50	3.20
Old Taylor	Cases of 12/6ths	31.00	3.50
Old Taylor	Cases of 24 pints.	38.00	2.15
Old Leg Cabin	Cases of 12/6ths	23.00	2.80
Old Schenley	Cs. 12¾ qts	27.50	3.20
Old Schenley	Cs. 24 pints.	33.00	2.00
Black & Tan Bourbon:	Cases of 12/6ths	25.25	2.95
P. M. Deluxe	Cases of 12/6ths	27.50	1.53
P. M. Deluxe	Cases of 24/16 oz.	27.50	2.10
Bleended whiskey:			
Calvert Reserve	Cases of 48/8 oz.	37.00	3.25
Calvert Reserve	Cases of 12/6ths	38.25	3.85
Calvert Special	Cases of 12/4½ qts	28.25	2.70
Calvert Reserve	Cs. 12¾ qts	23.00	1.65
Schenley Red Label	Cs. 24 pints.	28.50	.90
Schenley Red Label	Cs. 48/7½ pints.	30.00	3.25
Schenley Black Label	Cs. 12¾ qts	28.00	2.00
Schenley Black Label	Cs. 24 pints.	34.50	1.05
Schenley Black Label	Cs. 48/7½ pints.	36.00	2.75
Reserve blend	Cs. 12¾ qts	24.75	3.50
Three Feathers Reserve	12¼ qt.	30.00	1.00
Three Feathers (Aristocrat)	24/1 pt.	27.50	3.00
King	12¾ qt.	30.00	1.60
Old Forester	12¾ qt.	33.00	3.75
Brands:			
Damecq 3 Vines	Cases of 12/6ths	41.00	5.00
Gonzalez Byres 3 Copes	Cases of 12/6ths	33.25	4.50
Jarcano 3 O's	Cases of 12/6ths	33.25	4.50
Jarcano 3 Escudos	Cases of 12/6ths	33.50	4.75
El Venador	Cases of 12/6ths	33.50	4.65
Jarcano V.V.	Cases of 12/6ths	33.50	2.40
Fantio F.F.F.	Cases of 12/6ths	40.25	4.85

TABLE 46—MAXIMUM PRICES FOR IMPORTED LIQUORS

AMERICAN WHISKIES—continued			
Brands—Continued.			
Florida F.F.	Case of 24/2	\$41.75	\$2.50
Domest. Funder.	Case of 12/6ths	50.00	5.00
Excelsior.	Case of 12/6ths	49.00	5.20
Gonzalez Byass Extra.	Case of 12/6ths	43.00	5.30
Imperial.	Case of 12/6ths	45.00	5.45
Triunfador.	Case of 12/6ths	44.00	5.30
Centurion.	Case of 24/2	45.00	5.30
Centurion.	Case of 12/6ths	48.00	5.75
Florida Reserva Especial.	Case of 24/2	51.00	6.00
Florida Extravale Isimo.	Case of 12/6ths	60.00	8.00
Gonzalez Byass Soberano.	Case of 12/6ths	52.75	6.35
Gonzalez Byass Insuperable.	Case of 12/6ths	46.50	5.60
Carlos I—Domest.	Case of 12/6ths	64.00	7.50
Caballero.	Case of 12/6ths	180.00	10.00
Fernando A. de Terry.	Case of 12/1	36.60	4.25
Terry Tipo Competidor.	Case of 24/2	37.25	2.25
Terry Tipo Competidor.	Case of 12/1	38.50	2.25
Terry Tipo 3 Estrellas.	Case of 12/1	38.50	4.25
Terry Tipo Imperio.	Case of 24/2	40.00	4.50
Domest. 3 vines.	Case of 12/1	43.00	5.10
Sanchez Romate Finos.	Case of 24/2	42.00	2.50
Romate Finos—El Cesar.	12/4 1/4 qt.	45.00	5.00
Domest. Especial.	12/4 1/4 qt.	37.00	4.50
Cardinal Olivos.	12/4 1/4 qt.	120.00	13.00
Cardinal Olivos.	12/4 1/4 qt.	68.40	9.50
Brandy.			
Osborne Tres Coros.	12/4 1/5 qt.	30.00	4.25
Osborne Velerano.	12/4 1/5 qt.	45.00	5.45
Marques Del Real Tesoro.			
Manzanilla La Bralladora.	12/1	20.00	2.35
Malaga Oscuro Dulce.	12/1	21.00	2.40
Moscatel Vina Dulce.	12/1	21.00	2.40
Malaga Blanco Dulce.	12/1	23.00	2.60
Moscatel Solera.	12/1	21.00	2.40
Jerez Oro.	12/1	21.00	2.40
Fino Andaluz.	12/1	20.00	2.35
Ideal.	12/1	20.00	2.35
Pedro J. Solera.	12/1	22.00	2.60
Domest. Funder.	12/1	21.00	2.40
Gladiator.	24/4 1/5 pt. bot.	60.00	3.00
Gladiator.	12/1	43.00	6.20
Imported runs:			
Beard Cartia Blanca.	Case of 24/4 1/5 pint.	32.50	2.00
Beard Cartia De Oro.	Case of 24/4 1/5 pint.	32.50	2.00
Beard Cartia Blanca.	Case of 12/6ths	37.75	3.70
Beard Cartia De Oro.	Case of 12/6ths	33.50	3.85
Beard 773 Brand.	Case of 12/6ths	33.50	4.50
Beard Anolo.	Case of 12/6ths	40.00	4.70
Beard Elit.	Case of 12/6ths	36.00	4.20
Albuerne Blanco.	Case of 12/6ths	23.00	3.25
Albuerne Extra.	Case of 12/6ths	30.00	3.50
Carta Castillo Blanco.	Case of 12/6ths	34.00	3.40
Castillo Oriente Oro.	Case of 12/6ths	29.25	3.00
Castillo Extra XXX.	Case of 12/6ths	31.00	3.40
Castillo Elit.	Case of 12/6ths	33.00	3.85
Matusalem.	Case of 12/6ths	35.00	4.00
Carta Camp.	Case of 12/6ths	31.00	3.65
American gin.	Case of 12/6ths	30.00	3.50
Schenley's.	Case of 12/6ths	13.00	1.50
Three Feathers.	Case of 12/6ths	28.00	3.00
Calvert.	Case of 12/6ths	21.00	2.45
Ancient Bottles.	Case of 12/6ths	22.50	2.65
Ding Arthur.	Case of 12/6ths	27.00	3.20
Bols.	Case of 12/6ths	53.00	4.25
Superior.	Case of 12/6ths	3.85	3.85
Table wines (foreign):			
Arsenault & McQuarrie.	Case of 12/6ths	10.25	1.00
Spanish White Wine.	Case of 12/6ths	17.00	1.50
Topazio White Street.	Case of 12/6ths	16.25	1.50
Claret.	Case of 12/6ths	17.00	1.50
Red Wine.	Case of 12/6ths	17.00	1.50

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Table wines (foreign)—Cun.			
Marques De La Puella:			
Manzanilla Especial.	12/1	\$25.75	\$3.00
Pedro Ximenez Lager.	12/1	21.50	3.00
Muscatel Especial.	12/1	25.50	3.00
Pedro Ximenez Puebla Sherry.	12/1	26.25	3.00
Muscatel #1 sherry.	12/1	42.00	4.00
Lagrimas sherry.	12/1	27.50	3.25
Vino de Pass.	12/1	28.25	3.00
Spanish grape wine.	12/1	29.00	3.25
Socra High Hat.	12/1	30.00	3.00
Cavilla Cream Sherry.	12/1	31.25	3.25
Carlo Serris Blanco.	12/1	31.75	3.00
Carlo Serris Sherry.	12/1	32.00	3.25
Carlo Serris Fino.	12/1	32.25	3.00
Carlo Serris Extra.	12/1	32.50	3.25
Carlo Serris Special.	12/1	32.75	3.00
Carlo Serris Reserve.	12/1	33.00	3.25
Carlo Serris Grand.	12/1	33.25	3.00
Carlo Serris Supreme.	12/1	33.50	3.25
Carlo Serris Imperial.	12/1	33.75	3.00
Carlo Serris Extra.	12/1	34.00	3.25
Carlo Serris Special.	12/1	34.25	3.00
Carlo Serris Reserve.	12/1	34.50	3.25
Carlo Serris Grand.	12/1	34.75	3.00
Carlo Serris Supreme.	12/1	35.00	3.25
Carlo Serris Imperial.	12/1	35.25	3.00
Carlo Serris Extra.	12/1	35.50	3.25
Carlo Serris Special.	12/1	35.75	3.00
Carlo Serris Reserve.	12/1	36.00	3.25
Carlo Serris Grand.	12/1	36.25	3.00
Carlo Serris Supreme.	12/1	36.50	3.25
Carlo Serris Imperial.	12/1	36.75	3.00
Carlo Serris Extra.	12/1	37.00	3.25
Carlo Serris Special.	12/1	37.25	3.00
Carlo Serris Reserve.	12/1	37.50	3.25
Carlo Serris Grand.	12/1	37.75	3.00
Carlo Serris Supreme.	12/1	38.00	3.25
Carlo Serris Imperial.	12/1	38.25	3.00
Carlo Serris Extra.	12/1	38.50	3.25
Carlo Serris Special.	12/1	38.75	3.00
Carlo Serris Reserve.	12/1	39.00	3.25
Carlo Serris Grand.	12/1	39.25	3.00
Carlo Serris Supreme.	12/1	39.50	3.25
Carlo Serris Imperial.	12/1	39.75	3.00
Carlo Serris Extra.	12/1	40.00	3.25
Carlo Serris Special.	12/1	40.25	3.00
Carlo Serris Reserve.	12/1	40.50	3.25
Carlo Serris Grand.	12/1	40.75	3.00
Carlo Serris Supreme.	12/1	41.00	3.25
Carlo Serris Imperial.	12/1	41.25	3.00
Carlo Serris Extra.	12/1	41.50	3.25
Carlo Serris Special.	12/1	41.75	3.00
Carlo Serris Reserve.	12/1	42.00	3.25
Carlo Serris Grand.	12/1	42.25	3.00
Carlo Serris Supreme.	12/1	42.50	3.25
Carlo Serris Imperial.	12/1	42.75	3.00
Carlo Serris Extra.	12/1	43.00	3.25
Carlo Serris Special.	12/1	43.25	3.00
Carlo Serris Reserve.	12/1	43.50	3.25
Carlo Serris Grand.	12/1	43.75	3.00
Carlo Serris Supreme.	12/1	44.00	3.25
Carlo Serris Imperial.	12/1	44.25	3.00
Carlo Serris Extra.	12/1	44.50	3.25
Carlo Serris Special.	12/1	44.75	3.00
Carlo Serris Reserve.	12/1	45.00	3.25
Carlo Serris Grand.	12/1	45.25	3.00
Carlo Serris Supreme.	12/1	45.50	3.25
Carlo Serris Imperial.	12/1	45.75	3.00
Carlo Serris Extra.	12/1	46.00	3.25
Carlo Serris Special.	12/1	46.25	3.00
Carlo Serris Reserve.	12/1	46.50	3.25
Carlo Serris Grand.	12/1	46.75	3.00
Carlo Serris Supreme.	12/1	47.00	3.25
Carlo Serris Imperial.	12/1	47.25	3.00
Carlo Serris Extra.	12/1	47.50	3.25
Carlo Serris Special.	12/1	47.75	3.00
Carlo Serris Reserve.	12/1	48.00	3.25
Carlo Serris Grand.	12/1	48.25	3.00
Carlo Serris Supreme.	12/1	48.50	3.25
Carlo Serris Imperial.	12/1	48.75	3.00
Carlo Serris Extra.	12/1	49.00	3.25
Carlo Serris Special.	12/1	49.25	3.00
Carlo Serris Reserve.	12/1	49.50	3.25
Carlo Serris Grand.	12/1	49.75	3.00
Carlo Serris Supreme.	12/1	50.00	3.25
Carlo Serris Imperial.	12/1	50.25	3.00
Carlo Serris Extra.	12/1	50.50	3.25
Carlo Serris Special.	12/1	50.75	3.00
Carlo Serris Reserve.	12/1	51.00	3.25
Carlo Serris Grand.	12/1	51.25	3.00
Carlo Serris Supreme.	12/1	51.50	3.25
Carlo Serris Imperial.	12/1	51.75	3.00
Carlo Serris Extra.	12/1	52.00	3.25
Carlo Serris Special.	12/1	52.25	3.00
Carlo Serris Reserve.	12/1	52.50	3.25
Carlo Serris Grand.	12/1	52.75	3.00
Carlo Serris Supreme.	12/1	53.00	3.25
Carlo Serris Imperial.	12/1	53.25	3.00
Carlo Serris Extra.	12/1	53.50	3.25
Carlo Serris Special.	12/1	53.75	3.00
Carlo Serris Reserve.	12/1	54.00	3.25
Carlo Serris Grand.	12/1	54.25	3.00
Carlo Serris Supreme.	12/1	54.50	3.25
Carlo Serris Imperial.	12/1	54.75	3.00
Carlo Serris Extra.	12/1	55.00	3.25
Carlo Serris Special.	12/1	55.25	3.00
Carlo Serris Reserve.	12/1	55.50	3.25
Carlo Serris Grand.	12/1	55.75	3.00
Carlo Serris Supreme.	12/1	56.00	3.25
Carlo Serris Imperial.	12/1	56.25	3.00
Carlo Serris Extra.	12/1	56.50	3.25
Carlo Serris Special.	12/1	56.75	3.00
Carlo Serris Reserve.	12/1	57.00	3.25
Carlo Serris Grand.	12/1	57.25	3.00
Carlo Serris Supreme.	12/1	57.50	3.25
Carlo Serris Imperial.	12/1	57.75	3.00
Carlo Serris Extra.	12/1	58.00	3.25
Carlo Serris Special.	12/1	58.25	3.00
Carlo Serris Reserve.	12/1	58.50	3.25
Carlo Serris Grand.	12/1	58.75	3.00
Carlo Serris Supreme.	12/1	59.00	3.25
Carlo Serris Imperial.	12/1	59.25	3.00
Carlo Serris Extra.	12/1	59.50	3.25
Carlo Serris Special.	12/1	59.75	3.00
Carlo Serris Reserve.	12/1	60.00	3.25
Carlo Serris Grand.	12/1	60.25	3.00
Carlo Serris Supreme.	12/1	60.50	3.25
Carlo Serris Imperial.	12/1	60.75	3.00
Carlo Serris Extra.	12/1	61.00	3.25
Carlo Serris Special.	12/1	61.25	3.00
Carlo Serris Reserve.	12/1	61.50	3.25
Carlo Serris Grand.	12/1	61.75	3.00
Carlo Serris Supreme.	12/1	62.00	3.25
Carlo Serris Imperial.	12/1	62.25	3.00
Carlo Serris Extra.	12/1	62.50	3.25
Carlo Serris Special.	12/1	62.75	3.00
Carlo Serris Reserve.	12/1	63.00	3.25
Carlo Serris Grand.	12/1	63.25	3.00
Carlo Serris Supreme.	12/1	63.50	3.25
Carlo Serris Imperial.	12/1	63.75	3.00
Carlo Serris Extra.	12/1	64.00	3.25
Carlo Serris Special.	12/1	64.25	3.00
Carlo Serris Reserve.	12/1	64.50	3.25
Carlo Serris Grand.	12/1	64.75	3.00
Carlo Serris Supreme.	12/1	65.00	3.25
Carlo Serris Imperial.	12/1	65.25	3.00
Carlo Serris Extra.	12/1	65.50	3.25
Carlo Serris Special.	12/1	65.75	3.00
Carlo Serris Reserve.	12/1	66.00	3.25
Carlo Serris Grand.	12/1	66.25	3.00
Carlo Serris Supreme.	12/1	66.50	3.25
Carlo Serris Imperial.	12/1	66.75	3.00
Carlo Serris Extra.	12/1	67.00	3.25
Carlo Serris Special.	12/1	67.25	3.00
Carlo Serris Reserve.	12/1	67.50	3.25
Carlo Serris Grand.	12/1	67.75	3.00
Carlo Serris Supreme.	12/1	68.00	3.25
Carlo Serris Imperial.	12/1	68.25	3.00
Carlo Serris Extra.	12/1	68.50	3.25
Carlo Serris Special.	12/1	68.75	3.00
Carlo Serris Reserve.	12/1	69.00	3.25
Carlo Serris Grand.	12/1	69.25	3.00
Carlo Serris Supreme.	12/1	69.50	3.25
Carlo Serris Imperial.	12/1	69.75	3.00
Carlo Serris Extra.	12/1	70.00	3.25
Carlo Serris Special.	12/1	70.25	3.00
Carlo Serris Reserve.	12/1	70.50	3.25
Carlo Serris Grand.	12/1	70.75	3.00
Carlo Serris Supreme.	12/1	71.00	3.25
Carlo Serris Imperial.	12/1	71.25	3.00
Carlo Serris Extra.	12/1	71.50	3.25
Carlo Serris Special.	12/1	71.75	3.00
Carlo Serris Reserve.	12/1	72.00	3.25
Carlo Serris Grand.	12/1	72.25	3.00
Carlo Serris Supreme.	12/1	72.50	3.25
Carlo Serris Imperial.	12/1	72.75	3.00
Carlo Serris Extra.	12/1	73.00	3.25
Carlo Serris Special.	12/1	73.25	3.00
Carlo Serris Reserve.	12/1	73.50	3.25
Carlo Serris Grand.	12/1	73.75	3.00
Carlo Serris Supreme.	12/1	74.00	3.25
Carlo Serris Imperial.	12/1	74.25	3.00
Carlo Serris Extra.	12/1	74.50	3.25
Carlo Serris Special.	12/1	74.75	3.00
Carlo Serris Reserve.	12/1	75.00	3.25
Carlo Serris Grand.	12/1	75.25	3.00
Carlo Serris Supreme.	12/1	75.50	3.25
Carlo Serris Imperial.	12/1	75.75	3.00
Carlo Serris Extra.	12/1	76.00	3.25
Carlo Serris Special.	12/1	76.25	3.00
Carlo Serris Reserve.	12/1	76.50	3.25
Carlo Serris Grand.	12/1	76.75	3.00
Carlo Serris Supreme.	12/1	77.00	3.25
Carlo Serris Imperial.	12/1	77.25	3.00
Carlo Serris Extra.	12/1	77.50	3.25
Carlo Serris Special.	12/1	77.75	3.00
Carlo Serris Reserve.	12/1	78.00	3.25
Carlo Serris Grand.	12/1	78.25	3.00
Carlo Serris Supreme.	12/1	78.50	3.25
Carlo Serris Imperial.	12/1	78.75	3.00
Carlo Serris Extra.	12/1	79.00	3.25
Carlo Serris Special.	12/1	79.25	3.00
Carlo Serris Reserve.	12/1	79.50	3.25
Carlo Serris Grand.	12/1	79.75	3.00
Carlo Serris Supreme.	12/1	80.00	3.25
Carlo Serris Imperial.	12/1	80.25	3.00
Carlo Serris Extra.	12/1	80.50	3.25
Carlo Serris Special.	12/1	80.75	3.00
Carlo Serris Reserve.	12/1	81.00	3.25
Carlo Serris Grand.	12/1	81.25	3.00
Carlo Serris Supreme.	12/1	81.50	3.25
Carlo Serris Imperial.	12/1	81.75	3.00
Carlo Serris Extra.	12/1	82.00	3.25
Carlo Serris Special.	12/1	82.25	3.00
Carlo Serris Reserve.	12/1	82.50	3.25
Carlo Serris Grand.	12/1	82.75	3.00
Carlo Serris Supreme.	12/1	83.00	3.25
Carlo Serris Imperial.	12/1	83.25	3.00
Carlo Serris Extra.	12/1	83.50	3.25
Carlo Serris Special.	12/1	83.75	3.00
Carlo Serris Reserve.	12/1	84.00	3.25
Carlo Serris Grand.	12/1	84.25	3.00
Carlo Serris Supreme.	12/1	84.50	3.25
Carlo Serris Imperial.	12/1	84.75	3.00
Carlo Serris Extra.	12/1	85.00	3.25
Carlo Serris Special.	12/1	85.25	3.00
Carlo Serris Reserve.	12/1	85.50	3.25
Carlo Serris Grand.	12/1	85.75	3.00
Carlo Serris Supreme.	12/1	86.00	3.25
Carlo Serris Imperial.	12/1	86.25	3.00
Carlo Serris Extra.	12/1	86.50	3.25
Carlo Serris Special.	12/1	86.75	3.00
Carlo Serris Reserve.	12/1	87.00	3.25
Carlo Serris Grand.	12/1	87.25	3.00
Carlo Serris Supreme.	12/1	87.50	3.25
Carlo Serris Imperial.	12/1	87.75	3.00
Carlo Serris Extra.	12/1	88.00	3.25
Carlo Serris Special.	12/1	88.25	3.00
Carlo Serris Reserve.	12/1	88.50	3.25
Carlo Serris Grand.	12/1	88.75	3.00
Carlo Serris Supreme.	12/1	89.00	3.25
Carlo Serris Imperial.	12/1	89.25	3.00
Carlo Serris Extra.	12/1	89.50	3.25
Carlo Serris Special.	12/1	89.75	3.00
Carlo Serris Reserve.	12/1	90.00	3.25
Carlo Serris Grand.	12/1	90.25	3.00
Carlo Serris Supreme.	12/1	90.50	3.25
Carlo Serris Imperial.	12/1	90.75	3.00
Carlo Serris Extra.	12/1	91.00	3.25
Carlo Serris Special.	12/1	91.25	3.00
Carlo Serris Reserve.	12/1	91.50	3.25
Carlo Serris Grand.	12/1	91.75	3.00
Carlo Serris Supreme.	12/1	92.00	3.25
Carlo Serris Imperial.	12/1	92.25	3.00
Carlo Serris Extra.	12/1	92.50	3.25
Carlo Serris Special.	12/1	92.75	3.00
Carlo Serris Reserve.	12/1	93.00	3.25
Carlo Serris Grand.	12/1	93.25	3.00
Carlo Serris Supreme.	12/1	93.50	3.25
Carlo Serris Imperial.	12/1	93.75	3.00
Carlo Serris Extra.	12/1	94.00	3.25
Carlo Serris Special.	12/1	94.25	3.00
Carlo Serris Reserve.	12/1	94.50	3.25
Carlo Serris Grand.	12/1	94.75	3.00
Carlo Serris Supreme.	12/1	95.00	3.25
Carlo Serris Imperial.	12/1	95.25	3.00
Carlo Serris Extra.	12/1	95.50	3.25
Carlo Serris Special.	12/1	95.75	3.00
Carlo Serris Reserve.	12/1	96.00	3.25
Carlo Serris Grand.	12/1	96.25	3.00
Carlo Serris Supreme.	12/1	96.50	3.25
Carlo Serris Imperial.	12/1	96.75	3.00
Carlo Serris Extra.	12/1	97.00	3.25
Carlo Serris Special.	12/1	97.25	3.00
Carlo Serris Reserve.	12/1	97.50	3.25
Carlo Serris Grand.	12/1	97.75	3.00
Carlo Serris Supreme.	12/1	98.00	3.25
Carlo Serris Imperial.	12/1	98.25	3.00
Carlo Serris Extra.	12/1	98.50	3.25
Carlo Serris Special.	12/1	98.75	3.00
Carlo Serris Reserve.	12/1	99.00	3.25
Carlo Serris Grand.	12/1	99.25	3.00
Carlo Serris Supreme.	12/1	99.50	3.25
Carlo Serris Imperial.	12/1	99.75	3.00
Carlo Serris Extra.	12/1	100.00	3.25
Carlo Serris Special.	12/1	100.25	3.00
Carlo Serris Reserve.	12/1	10	

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Erven Lucas Bols:			
Gold Liqueur.....	12 1/4 qt.	\$43.00	\$5.00
Marraschino.....	12 1/4 qt.	43.00	5.00
Peach Liqueur.....	12 1/4 qt.	43.00	5.00
Crema Cacao.....	12 1/4 qt.	43.00	5.00
Apricot Liqueur.....	12 1/4 qt.	43.00	5.00
Monastique.....	12 1/4 qt.	43.00	5.00
Anisette.....	12 1/4 qt.	43.00	5.00
Crema Menta Verde.....	12 1/4 qt.	43.00	5.00
Crema Menta Blanca.....	12 1/4 qt.	43.00	5.00
Triple Sec.....	12 1/4 qt.	43.00	5.00
Sherry Liqueur.....	12 1/4 qt.	43.00	5.00
Advokaat.....	12 1/4 qt.	43.00	5.00
Cordials (domestic):			
Anis El Pavo.....	Case of 24/12 oz.	8.25	.50
Anis El Camarillo.....	Case of 24/12 oz.	9.25	.55
Sanchez, Romate Hros:			
Anisette Romate Dulce.....	Case of 12/1 pt. 15 oz.	50.00	6.00
Older (foreign):			
Tunuyun.....	Case of 12/1 pt. 10 oz.	13.50	1.00
Zaracha.....	Case of 12/23 3/4 oz.	12.50	1.50
Princesa de Asturias.....	Case of 12/21 oz.	10.00	2.00
La Priviliana.....	Case of 12/23 oz. fl.	14.50	1.50
Real Vania.....	Case of 12/23 oz. fl.	14.50	1.75
Sherry Wine: Vinos 24.....	24/12 oz.	20.75	1.75
Destilado Anis La Chelama:			
Anis "La Osefolman":	12/1 qt.	48.50	5.75
Anis "La Osefolman":	24/1 pt.	50.00	8.00

[Table 46 amended by Am. 21, 9 F.R. 579, effective 1-10-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4620, effective 5-9-44; Am. 34, 9 F.R. 5326, effective 5-22-44; Am. 37, 9 F.R. 5266, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

[*Items amended by Am. 45, effective 8-2-44]

TABLE 47—MAXIMUM PRICES FOR CERTAIN LOCALLY PRODUCED BEER AND MALT

Items and brands	Size	Price to wholesalers	Price at retail
Beer:			
Corona—India—Tropical.....	Case of 24/12 oz.	\$2.70	\$3.00
	Case of 24/22 oz.	5.05	5.55
	Case of 12/33 oz.	3.20	3.40
	Kegs 1/2.....		11.50
	Kegs 3/4.....		6.00
	Case of 24/12 oz.	1.71	1.88
	Case of 24/22 oz.	3.42	3.75
Malt.....			
			Per unit
			\$0.15
			.30 or
			two for \$5.55
			.35
			.10
			.18

[Table 47 amended by Am. 25, 9 F.R. 1942, effective 2-17-44]

TABLE 48—MAXIMUM PRICES FOR CERTAIN IMPORTED BEER

Items and brands	Size	Price to wholesalers	Price at retail
Beaver Brand.....			
	Case of 24/12 oz. 1/2 in.	\$5.50	\$7.15
	Case of 24/12 oz. bot.	22.50	24.75
	Case of 48/22 oz. bot.	22.50	24.75
	Case of 24/12 1/2 oz. bot.	8.10	8.50
	Case of 25/11 1/4 oz. bot.	7.75	8.50
Cordials:			
			Per unit
			\$0.35
			.45
			.65
			.45
			.42

[Table 48 amended by Am. 21, 9 F.R. 579, effective 1-10-44; Am. 31, 9 F.R. 3949, effective 4-17-44]

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Sanchez Romate Hros—Continued.			
Vino Oloroso El Cesar.....	12/1 pt. 7 oz.	\$70.00	\$8.00
Vino Fino Mariseno Sherry.....	12/1 pt. 7 oz.	31.50	3.50
Vino Moscatel Gloria.....	12/1 pt. 7 oz.	25.00	2.50
Orange Flavor Sherry Wine.....	12/1 pt. 7 oz.	28.50	3.00
Muscatel Reina.....	12/1 pt. 7 oz.	32.00	3.75
Vino Muscatel Ambrosia.....	12/1 pt. 7 oz.	60.00	7.00
Vino Jerez Turina Duque.....	12/1 pt. 7 oz.	25.00	2.00
Jerez Seco Palido.....	12/1 pt. 7 oz.	21.75	2.65
Muscatel Especial.....	12/1 pt. 7 oz.	23.75	2.50
Vino de Palos Cortados Fandango Sherry.....	12/1 pt. 7 oz.	23.75	3.25
Vino Dry Solera Romate.....	12/1 pt. 7 oz.	28.75	3.25
Vino Dulce Superior Oscuro.....	12/1 pt. 7 oz. 1.....	24.00	2.80
Dessert Wines—Foreign:			
Vino de Piesas.....	12/1 pt. 7 oz.	26.50	3.00
Vino Espal India Sherry.....	12/1 pt. 7 oz.	22.00	6.00
Spanish Punch Romate.....	12/1 pt. 7 oz.	43.50	5.00
Champagne (foreign):			
D'charnon.....	Case of 12/1.....	50.00	6.25
Vinissador.....	Case of 12/1.....	48.00	6.00
Vandivico.....	Case of 12/1.....	40.00	5.00
Champanagne, Donce, Demi-Doux.....	12/25 oz. bot.	40.00	5.00
Angel M. Espino o Hijos:			
Angel M. Espino—Demi-sec.....	Case of 12/1.....	40.50	5.00
Angel M. Espino—Demi-sec.....	Case of 24/2.....	44.25	5.75
Angel M. Espino sec.....	Case of 12/1.....	42.00	5.25
Emperador.....	Case of 12/1.....	47.00	5.75
Due de Saint Remy.....	12 1/4 qt.	43.00	5.00
Guviller, sec.....	12 1/4 qt.	48.00	6.00
Guviller, demi-sec.....	12 1/4 qt.	48.00	6.00
Guviller, Brut.....	12 1/4 qt.	50.00	6.25
Vermouth (foreign):			
Cinzano.....	12/30 oz. bot.	*16.45	2.00
Mitro Sweet.....	Case of 12/1.....	16.00	2.00
Corbiello Dry.....	Case of 12/1.....	19.00	2.25
Cusculer.....	Case of 12/1.....	19.00	2.25
Cla. Industrial Financiera Argentina:			
Saturno.....	Case of 12/32 oz.	15.50	1.85
Saturno.....	Case of 24/16 oz.	17.50	1.00
Angel M. Espino o Hijos:			
Baudino (sweet).....	Case of 12/1.....	17.50	2.00
Destileria Boedgas y Vincedos El Globo (sweet).....	Case of 12/1.....	16.50	1.95
Martini & Rossi (Regular dulce).....	Case of 12/1 pt. 14 oz.	17.00	2.00
Martini & Rossi (Blanco dulce).....	Case of 12/1 pt. 14 oz.	17.00	2.00
Cinzano.....	Case of 24/16 oz.	*18.10	1.00
Paganini (sweet).....	12/1 qt.	16.25	1.85
Remondini (sweet).....	12/1 qt.	16.25	1.85
Suza (dry).....	12/1 qt.	18.00	2.10
Tiani.....	12/1 qt.	14.00	1.65
Gancia.....	12/1 qt.	17.50	2.00
Ideal (sweet).....	12/1 qt.	14.50	1.65
Leard (dry).....	12/1 qt.	17.25	1.95
Thalabert (sweet).....	12/1 qt.	15.50	1.85
El Globo (dry).....	12/32 oz.	17.15	2.00
Vermouth:			
Martini & Rossi, dry.....	12/1 pt. 14 oz.	17.00	2.00
Martini & Rossi, regular.....	24/1 pt. 14 oz.	20.00	1.15
Cordials (foreign):			
Cusculer Cuscao Extra Seco.....	Case of 12/4 1/2 qt.	40.50	4.75
Cusculer Cuscao Triple Seco.....	Case of 12/4 1/2 qt.	40.50	4.75
Cusculer Crema de Menta.....	Case of 12/4 1/2 qt.	40.50	4.75
Cusculer Cherry Liqueur.....	Case of 12/4 1/2 qt.	40.50	4.75
Cusculer Mazardine.....	Case of 12/4 1/2 qt.	40.50	4.75
Cusculer Anisette.....	Case of 12/4 1/2 qt.	40.50	4.75
Cusculer Crema de Cacao.....	Case of 12/4 1/2 qt.	40.50	4.75
Cusculer French Liqueur.....	Case of 12/4 1/2 qt.	40.50	4.75
Beard's Anis.....	Case of 12/4 1/2 qt.	37.00	4.30
Peters Menta.....	Case of 12/4 1/2 qt.	46.00	5.25
Peters Crema de Cacao.....	Case of 12/4 1/2 qt.	42.00	5.00
Peters Anis.....	Case of 12/4 1/2 qt.	42.00	5.00
Cordials:			
Anis Oriental.....	24/2.....	9.25	.55
Marques De La Puebla Spanish Anisette.....	12/1.....	45.50	5.75

TABLE 52—MAXIMUM PRICES FOR GALVANIZED BARBED WIRE

Description	Sales at wholesale	Sales at retail
No. 14 Galvanized Special Barbed Wire (62.6 lbs. spool gross weight)	\$3.70	\$6.55
No. 12½ Galvanized Barbed Wire (87½ lbs. gross weight spools) 2...	5.45	8.13

¹ For sales involving less than one spool of 52.5 lbs. the price should be established on the basis of \$0.12 per lb.

² For sales involving less than one spool of 87½ lbs. the price should be established on the basis of \$0.11 per lb.

Sec. 60. *Maximum prices for galvanized steel sheets sold or delivered in the Territory of Puerto Rico.*

TABLE 53—MAXIMUM PRICES FOR GALVANIZED STEEL SHEETS

Description of item	Sizes	U. S. S. G. or G. S. G. No.	Price at wholesale per hundred lbs.	Price at retail per hundred lbs.
Plain Galvanized Steel Sheets	30 x 72	16	\$5.45	\$7.05
Plain Galvanized Steel Sheets	30 x 72	20	6.35	7.45
Plain Galvanized Steel Sheets	30 x 72	24	6.40	7.65
Plain Galvanized Steel Sheets	30 x 72	28	6.45	7.85
Plain Galvanized Steel Sheets	30 x 72	32	6.75	8.10
Plain Galvanized Steel Sheets	30 x 72	36	6.75	8.10
Plain Galvanized Steel Sheets	30 x 72	40	6.35	7.80
Plain Galvanized Steel Sheets	30 x 96	20	7.00	8.50
Plain Galvanized Steel Sheets	30 x 96	24	6.65	8.00
Plain Galvanized Steel Sheets	30 x 96	28	6.70	8.10
Plain Galvanized Steel Sheets	30 x 96	32	6.10	7.60
Plain Galvanized Steel Sheets	30 x 96	36	6.65	8.20
Plain Galvanized Steel Sheets	30 x 96	40	7.20	8.70
Galvanized Plain Brick Sliding (Steel Sheets)	16 to 10 ft. long	20	6.75	8.25
Galvanized Plain Brick Sliding (Steel Sheets)	12 ft. long	24	6.75	8.25
Galvanized Corrugated Steel Sheets	16 to 10 ft. long	20	6.80	8.30
Galvanized Corrugated Steel Sheets	12 ft. long	24	6.80	8.30

Note: For plain brick sliding, rock face brick sliding or corrugated galvanized steel sheets of gauges and sizes other than those specified, the prices shall be determined on the basis of the gauge and size differentials appearing in the tables published by the Steel Export Association of America.

[Sec. 59 added by Am. 17, 9 F.R. 15862, effective 11-26-43; Table amended and footnotes added by Am. 25, 9 F.R. 1643, effective 2-17-41]

Sec. 61. *Maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material—(a) Definitions.*

When used in this section, the term:

(1) "Manufacturer" means a person who produces, mixes or processes, or who markets for his own account and under his own brand or trade name, mixed fertilizer, superphosphate, potash or nitrogenous material for use as an aid to the growth of crops or plants.

(2) "Dealer" means a person who purchases mixed fertilizer, superphosphate,

potash or nitrogenous material and resells it to a consumer.

(3) "Consumer" means a person purchasing mixed fertilizer, superphosphate, potash or nitrogenous material for use in aiding the growth of crops or plants (and not for resale) including the Agricultural Adjustment Agency.

(4) "Mixed fertilizer" means any substance containing any two or more, of potash, superphosphate, and nitrogenous material, when marketed or sold as an aid to the growth of crops or plants.

(5) "Superphosphate" means any product which is obtained by mixing rock phosphate with either sulphuric acid or phosphoric acid or with both acids, when

Sec. 57. *Maximum prices for poultry and shell eggs—(a) Definitions.* When used in this section 57 the term:

(1) "Poultry" means all fresh broilers, fryers, roasters, capons, old roosters and hens, turkeys, including live, dressed, drawn, and all other forms of the foregoing.

(2) "Dressed poultry" means poultry which has been killed, bled and plucked without regard to the method of plucking or finishing.

(3) "Drawn poultry" means dressed poultry from which the entrails, head and feet have been removed without contamination of the body cavity.

(4) "Shell eggs" means the eggs of the fowl known as the domestic or barnyard hen in their natural state, or hatched have not been frozen.

(b) *Exemptions.* Hatching eggs and breeding poultry are exempt when sold by producers to buyers other than food dealers or consumers.

TABLE 54—MAXIMUM PRICES FOR POULTRY

Type	Live	Price per pound, dressed	Drawn
Chickens:			
Less than 13 weeks	\$0.60	\$0.75	\$0.97
13 weeks to 1 year	0.65	0.80	1.05
1 year and over	0.45	0.65	0.72
Turkeys:			
Less than 13 weeks	0.65	0.80	1.05

TABLE 55—MAXIMUM PRICES FOR MACHETES—Cob.

Item	At whole sale	At retail
Handmade Collars 650-23" with handle or similar	\$11.23	\$13.30
Machetes Collars 650-23" with handle or similar	7.50	.99

[Sec. 59 added by Am. 17, 9 F.R. 15862, effective 11-26-43; Table amended by Am. 29, 9 F.R. 3166, effective 3-29-44]

Sec. 59. *Maximum prices for galvanized barbed wire—(a) Definitions.*

When used in this section 59 the term:

(1) "Galvanized Special Barbed Wire No. 14" means No. 14 wire A. S. & W. Gauge Strands—2 pts. 4" spacing—Barbs #10 A. S. & W. Gauge. Wire No. 12½ means No. 12½ wire A. S. & W. Gauge Strands—4 pts. 5" spacing—Barbs #14 A. S. & W. Gauge.

Footnote 1: The prices specified include an allowance for bottle deposits at the rate of 35¢ per case of 24/12 oz.; 45¢ for a case of 24/22 oz.; 30¢ for a case of 12/32 oz.; and \$5.00 per keg.

Footnote 2: Prices on sales by breweries to wholesalers or to retailers include delivery.

Footnote 3: No increase which has occurred since April 30, 1943, in the f. o. b. price charged by the foreign seller will be taken into account in establishing maximum prices for imported liquors and beer; except that if the item is produced in the continental United States the importer shall furnish a letter from the appropriate office of the Office of Price Administration having jurisdiction over his supplier, or other satisfactory evidence that his supplier's price for the item does not exceed a supplier's maximum price for the sale established under applicable OPA regulations.

[Sec. 56 added by Am. 13, 8 F.R. 15739, effective 11-23-43; former paragraph (a) redesignated footnote (1) and amended and footnotes (2) and (3) added by Am. 25, 9 F.R. 1642, effective 2-17-44]

TABLE 56—MAXIMUM PRICES FOR SHEET EGGS

Item and Brand Name	Price at whole sale	Retail price
Sheet Eggs weighing more than 25 gr. per doz.	Each \$0.03	Each \$0.03
Sheet Eggs weighing more than 25 gr. per doz.	Each \$0.03	Each \$0.03

[Sec. 57 added by Am. 10, 8 F.R. 15862, effective 11-26-43; Table 56 amended by Am. 26, 9 F.R. 1643, effective 2-17-44; and Am. 46, effective 8-2-44]

Sec. 58. *Maximum prices for machetes sold or delivered in the Territory of Puerto Rico.*

TABLE 57—MAXIMUM PRICES FOR MACHETES

Item	At whole sale	At retail
Machetes Collars 650-23" with handle or similar	\$7.00	Each \$0.85
Machetes Collars 650-23" with handle or similar	7.00	.85

marketed or sold as an aid to the growth of crops or plants.

(6) "Potash" means muriate, chloride or sulphate of potash, manure salts and any other substance containing potassium oxide (K_2O), when marketed or sold as an aid to the growth of crops or plants.

(7) "Nitrogenous material" means any organic or inorganic substance containing nitrogen, when marketed or sold as an aid to the growth of crops or plants.

(8) "Grade" means the minimum guarantee of the plant food content of mixed fertilizer, superphosphate, or potash, expressed in terms of ammonia, available phosphoric acid, and water-soluble potash, e. g. 4-12-4, 0-14-7, 0-20-0, 0-0-50.

(9) "Kind" as distinguished from the term "grade" refers only to mixed fertilizer and means the substances, and the proportions thereof, containing the guaranteed plant food content of mixed fertilizer—as, for example, in the case of nitrogenous material, 80% water soluble and 20% water-insoluble nitrogen; or in the case of potash, 75% sulphate of potash and 25% muriate of potash.

(10) "Price schedule" means any price list or statement, irrespective of form, issued or used by the seller, setting forth the prices, grades, kinds, terms of payment, types of containers or bags, method and conditions of delivery and any other provisions relating to sales of the commodities being priced.

(b) *Manufacturers' maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material*—(1) Maximum prices for sales of mixed fertilizer, superphosphate, and potash.

(i) *Delivered prices.* A manufacturer's maximum prices for sales of mixed fertilizer, superphosphate and potash delivered to any purchaser's premises or to the railroad shipping station located nearest to the purchaser shall be the prices set forth in his written or printed price schedule or list effective on October 15, 1941, denoted herein as the base period prices, subject to adjustment upward or downward each quarter year by an amount determined as follows:

On or before January 1, 1944, the manufacturer shall determine the average delivered-to-factory cost per unit for each of these four items used or received by him, as the case may be, during the period July 1 to December 31, 1941:

1. Ammonia.
2. Available phosphoric acid.
3. Potash.
4. Bags or containers.

Using these averages as cost figures the manufacturer shall determine, by use of his own formula, the total cost of the amounts of the first three items entering into a ton of his finished fertilizer. To this he shall add the cost (as determined above) of the number of bags of containers he has customarily used to contain one ton of his fertilizer. This final figure is hereafter referred to as "base cost". It is a figure that will be used each three months, and once verified, need not be recomputed.

On January 1, 1944, and quarter annually thereafter the manufacturer shall likewise determine the average delivered-to-factory cost per unit of each of the

four items used or received by him, as the case may be, during the period of three months immediately preceding the date of computation.

Using these averages as cost figures the manufacturer shall determine, by use of his own formula, the total cost of the amounts of the first three items entering into a ton of his finished fertilizer. To this he shall add the cost (as determined above) of the number of bags or containers he has customarily used to contain one ton of his fertilizer. This final figure is hereafter referred to as "current cost".

If, during any three-month period one or more of the four items of raw material were not received by the manufacturer, he shall use as the price for such material in his quarterly computations the average price computed for the next preceding three-month period.

If on any quarter-annual date the current cost shall be less than the base cost, then for the succeeding three-month period the manufacturer's maximum price per ton shall be the price scheduled by him on October 15, 1941, less the difference between current cost and base cost.

If on any quarter-annual date the current cost be greater than the base cost, then for the succeeding three months' period the manufacturer's maximum price per ton shall be the price scheduled by him on October 15, 1941, plus the difference between current cost and base cost.

The manufacturer's maximum prices on quantities less than a ton shall preserve the same relative differentials as were present in his price schedule of October 15, 1941.

(ii) *F. o. b. prices.* A manufacturer's maximum prices for sales of mixed fertilizer, superphosphate and potash f. o. b. his plant or warehouse shall be determined by subtracting from his delivered prices the freight allowances which he included in his price schedule in effect on October 15, 1941.

(iii) *Prices for grades not listed.* A manufacturer's maximum prices for sales of a grade of mixed fertilizer, superphosphate and potash which was not listed in his price schedule effective on October 15, 1941 shall be a price authorized, upon application of the manufacturer, by the Order of the Director of the Office of Price Administration for Puerto Rico, and shall be a price in line with those established by this regulation for grades which were offered for sale by the manufacturer in his price schedule effective October 15, 1941.

(2) *Manufacturers' maximum prices for cash sales of nitrogenous fertilizer material.* The maximum price for a cash sale of nitrogenous fertilizer material by fertilizer manufacturers, direct or through agents, to a consumer shall be:

(i) The manufacturer's actual landed cost of the material, in the case of ammonium nitrate; or the manufacturer's weighted average landed cost of each material, calculated as of July 1, Octo-

ber 1, January 1 and April 1, in the case of sulphate of ammonia or any other nitrogenous fertilizer material, for all of the lots of each material received by him during the quarter-annual period last preceding the date of the calculation; or, if none was received in that period, the cost of the latest quarter-annual period in which material was received.

(ii) An additional amount equal to the fertilizer manufacturer's expenditure, if any, for transportation of the nitrogenous fertilizer material within the territory to the fertilizer manufacturer's plant or warehouse or direct to the buyer's delivery point.

(iii) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in and delivered from the fertilizer manufacturer's plant.

(iv) Plus the actual cost of bags used, and \$1.00 per ton when such nitrogenous fertilizer material is received in bulk by the fertilizer manufacturer and resold in bags.

(v) An additional amount equal to the cost of governmental tax tags, if any, and the attaching thereof, or governmental tonnage or inspection tax, but no license cost or registration fee.

(vi) In addition a maximum margin of: \$4.00 per ton if the cost (subdivisions (i) through (v)) is less than \$40.00 per ton; \$5.00 per ton if such cost is \$40.00 or more but less than \$50.00 per ton; \$6.00 per ton if such cost is \$50.00 or more but less than \$60.00 per ton; \$7.00 per ton if such cost is \$60.00 or more but less than \$70.00 per ton; \$8.00 per ton if such cost is \$70.00 or more per ton.

(vii) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in, and delivered from a warehouse owned or operated by a fertilizer manufacturer or agent.

(viii) An additional amount equal to the actual transportation expense incurred in making delivery from a fertilizer manufacturer's plant or warehouse or from the buyer's delivery point, to the consumer.

(ix) An amount equal to the actual loading or handling charges incurred in making delivery to the buyer.

(3) *Manufacturers' maximum prices for credit sales of nitrogenous fertilizer material.* In the case of credit sales, credit terms shall not be more onerous on Spring season sales than those in effect and applicable to such dealer or consumer for the period from February 16, 1942, to February 20, 1942, inclusive, and for Fall season sales, credit terms shall not be more onerous than those in effect and applicable to such dealer or consumer for the period from October 1, 1941, to October 15, 1941, inclusive.

(c) *Dealers' maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material*—(1) *Cash prices.* A dealer's maximum cash prices for sales of mixed fertilizer, superphosphate, potash or nitrogenous material shall be determined by adding together the following factors:

(i) The manufacturer's maximum time price on a sale of the same quantity.

(ii) The actual transportation cost, if any, incurred by the dealer from the manufacturer's planter warehouse to the dealer's place of business: *Provided*, That such transportation cost may not exceed the customary carrier charge for a similar shipment, whether such transportation be accomplished by a common or contract carrier or any other person.

(iii) An amount equal to five percent of the sum of paragraphs (i) and (ii).

(2) *Time prices.* A dealer's maximum time prices for sales of fertilizer, superphosphate, potash and nitrogenous material shall be equal to his maximum cash prices, plus six percent.

(d) *Prohibited practices; general.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-

cents price is as much a violation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts, and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(e) *Filing of price schedules by manufacturers.* Not later than July 1, 1944, every manufacturer of mixed fertilizer, superphosphate, potash and nitrogenous material in Puerto Rico shall file with the Territorial Office of Price Administration, San Juan, Puerto Rico, a complete schedule of prices in effect on that date and thereafter shall file within five days of their effective date all supplements and amendments to price schedules in effect on July 1, 1944.

[Sec. 61 added by Am. 24, 9 F.R. 1489, effective 1-1-44; amended by Am. 42, 9 F.R. 7423, effective 7-1-44]

SEC. 62. Maximum prices for frosted foods.

TABLE 54—FROSTED FOODS

Items and brand names	Unit	Price at wholesale	Price at retail
Birdseye:			
Corn on Cob	2 ears to pkg.		
Baked Beans	16 oz. pkg.	Paraphrase	Paraphrase
Rhubarb	14 oz. pkg.	\$0.17	\$0.25
Squash	16 oz. pkg.		
Green Beans	10 oz. pkg.		
Corn cut	10 oz. pkg.		
Spinach	14 oz. pkg.	.20	.20
Peas and Carrots	12 oz. pkg.		
Peas	12 oz. pkg.		
Mixed Vegetables	12 oz. pkg.	.22	.31
Cauliflower	13 oz. pkg.		
Peaches	16 oz. pkg.		
Brussel Sprouts	13 oz. pkg.	.25	.33
Broccoli	13 oz. pkg.		
Lima Beans	12 oz. pkg.		
Raspberries	13 oz. pkg.		
Blueberries	11 oz. pkg.		
Mixed Fruits	16 oz. pkg.	.30	.41
Cherries	16 oz. pkg.		
Boysenberries	13 oz. pkg.		
Strawberries	16 oz. pkg.	.33	.44
Hook Lima Beans	12 oz. pkg.		
Asparagus	12 oz. pkg.	.25	.40

[Sec. 62 added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 63. Maximum prices for chewing gum.

TABLE 55—CHEWING GUM

	To wholesalers	At wholesale	At retail
All flavors:			
Cartons of 20 pkgs. of 5 sticks	\$0.62	\$0.65	\$0.65 pkg. \$0.91 stick.
Cartons of 100 pkgs. 2 nuggets	.62	.65	\$0.91 2 nuggets.

[Sec. 63 added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 64. *Maximum prices for animal feed sold or delivered in the Territory of Puerto Rico—(a) Definitions.* When used in this section, the term:

(1) "Mixed feed" means a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry except the following commodities:

(i) Those commodities listed in section 2.3 (m) and (n) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation as exempt from said regulation.

(ii) A mixture resulting from the blending or mixing of offals or byproducts from a single vegetable, plant or other agricultural product, and also

screenings as defined in the official publication of the Association of the American Feed Control Officials, Inc. for 1942, which commodities shall be and remain subject to § 1499.2 and other applicable provisions of the General Maximum Price Regulation.

(iii) Cat and dog foods.

(2) "Straight feed" means an unmixed feed for the purpose of feeding animals and poultry.

(3) "Base price" means the direct cost to the importer of the first shipment of a brand, grade or variety of mixed feed received by him after February 1, 1944.

(b) *Maximum prices for imported mixed feed.* (1) The maximum prices

for imported mixed feed sold by an importer, his agent or distributor shall be computed by adding to the base price for such feed a markup of 35¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the warehouse of the importer, his agent or distributor or 25¢ per 100 pound bag, whichever amount is the lower: *Provided*, That for each one dollar increase or decrease per ton in the direct cost to the importer of a brand, grade or variety of mixed feed received by the importer after his base price has been established, the Territorial Director of the Office of Price Administration at San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the importer's maximum price.

(2) The maximum prices for imported mixed dairy feed sold by a seller other than the importer, his agent or distributor shall be computed by adding to the importer's maximum price at the port of discharge a markup of 20¢ per 100 pound bag plus a transportation allowance not to exceed the actual cost of transporting the feed from the port of discharge to the seller's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(3) Prior to the first sale by the importer of imported mixed feed, and thereafter within five days after the receipt in Puerto Rico of a shipment of mixed feed for sale, the importer shall file with the Office of Price Administration for the territory of Puerto Rico, a statement setting forth in detail the direct cost to the importer, including the price the importer paid or discounts allowed, all costs of shipment, custom and entry fees, and war risk insurance cost.

(c) *Maximum prices for locally mixed feed sold by the manufacturer.*

TABLE 56—MAXIMUM PRICES FOR LOCALLY MIXED FEED SOLD BY THE MANUFACTURER

Puerto Rico brand:	Per 100 pound bag
20% Protein content	\$3.50
24% Protein content	3.60
18% Protein content (dry freshing)	3.50
Calf meal	4.75
Oxen feed	3.60

[Table 56 amended by Am. 44, 9 F.R. 7579, effective 6-16-44]

(1) The maximum prices for locally mixed dairy feed sold by the manufacturer's agent or distributor shall be computed by adding to the price fixed in Table 56 a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the purchaser's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(2) The maximum prices for locally mixed dairy feed sold by a seller other than a manufacturer, his agent or distributor shall be computed by adding to the price fixed in Table 56 a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the seller's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(d) Maximum prices for straight feed.

TABLE 57—MAXIMUM PRICES FOR STRAIGHT FEED

Oats (red or white): Per 100 lb. bag
 Sales to wholesalers..... \$3.80
 Sales to others than wholesalers..... 4.20

[Sec. 64 added by Am. 29, 9 F.R. 3158, effective 3-28-44; Table 57 amended by Am. 31, 9 F.R. 3949, effective 4-17-44; and Am. 45, effective 8-2-44]

SEC. 65. Maximum price for cane blackstrap molasses sold or delivered in the Territory of Puerto Rico—(a) Defi-

nition. When used in this section 65, the term:

(1) Cane blackstrap molasses means the final by-product from sugar manufacturing after the extraction of all commercially available sucrose.

(b) The maximum price for cane blackstrap molasses shall be 13.6¢ per gallon delivered at the mill or at the mill tank. This is a gross price to which may be added no additional charges for warehousing, handling, transportation from mill to mill tank, or between mills

of the same company, or for any other service or incidents of sale except that a purchaser from a mill may on resale add the actual transportation charges incurred by him in transporting the molasses from the mill or mill tank to the point at which the buyer receives delivery.

[Paragraph (b) amended by Am. 45, effective 8-2-44]

[Sec. 65 added by Am. 32, 9 F.R. 4820, effective 5-9-44]

SEC. 66. Maximum prices for nails sold or delivered in the Territory of Puerto Rico.

TABLE 58—MAXIMUM WHOLESALE PRICES FOR WIRE NAILS

(Per hundred pounds)

Gauge.....	3/8	1/2	1	2	3	4	5	6	7	8	9	10	10 1/4	10 1/2	11	11 1/2	12	12 1/2	13	13 1/2	14	14 1/2	15	16	17	18	19	20	
Length:																													
1 1/2"																	7.05	7.15	7.25	7.30	7.45	7.70	7.95	12.95	14.00	15.10	17.30	19.70	
1 3/4"																	6.85	6.90	6.95	7.05	7.15	7.25	7.50	7.65	10.30	10.95	12.25	14.00	16.20
2"																	6.65	6.70	6.75	6.85	6.90	7.00	7.15	7.35	9.40	10.20	11.70	13.15	15.00
2 1/4"																	6.35	6.45	6.55	6.65	6.75	6.85	6.95	7.15	8.75	9.65	11.30	12.70	14.60
2 1/2"																	6.25	6.30	6.35	6.40	6.45	6.50	6.55	6.65	8.25	9.15	10.70	12.10	14.00
2 3/4"																	6.15	6.20	6.25	6.30	6.35	6.40	6.45	6.55	8.15	9.05	10.60	12.00	13.90
3"																	6.05	6.10	6.15	6.20	6.25	6.30	6.35	6.45	8.05	8.95	10.50	11.90	13.80
3 1/4"																	5.95	6.00	6.05	6.10	6.15	6.20	6.25	6.35	7.95	8.85	10.40	11.80	13.70
3 1/2"																	5.85	5.90	5.95	6.00	6.05	6.10	6.15	6.25	7.85	8.75	10.30	11.70	13.60
3 3/4"																	5.75	5.80	5.85	5.90	5.95	6.00	6.05	6.15	7.75	8.65	10.20	11.60	13.50
4"																	5.65	5.70	5.75	5.80	5.85	5.90	5.95	6.05	7.65	8.55	10.10	11.50	13.40
4 1/4"																	5.55	5.60	5.65	5.70	5.75	5.80	5.85	5.95	7.55	8.45	10.00	11.40	13.30
4 1/2"																	5.45	5.50	5.55	5.60	5.65	5.70	5.75	5.85	7.45	8.35	9.90	11.30	13.20
4 3/4"																	5.35	5.40	5.45	5.50	5.55	5.60	5.65	5.75	7.35	8.25	9.80	11.20	13.10
5"																	5.25	5.30	5.35	5.40	5.45	5.50	5.55	5.65	7.25	8.15	9.70	11.10	13.00
5 1/4"																	5.15	5.20	5.25	5.30	5.35	5.40	5.45	5.55	7.15	8.05	9.60	11.00	12.90
5 1/2"																	5.05	5.10	5.15	5.20	5.25	5.30	5.35	5.45	7.05	7.95	9.50	10.90	12.80
5 3/4"																	4.95	5.00	5.05	5.10	5.15	5.20	5.25	5.35	6.95	7.85	9.40	10.80	12.70
6"																	4.85	4.90	4.95	5.00	5.05	5.10	5.15	5.25	6.85	7.75	9.30	10.70	12.60
6 1/4"																	4.75	4.80	4.85	4.90	4.95	5.00	5.05	5.15	6.75	7.65	9.20	10.60	12.50
6 1/2"																	4.65	4.70	4.75	4.80	4.85	4.90	4.95	5.05	6.65	7.55	9.10	10.50	12.40
6 3/4"																	4.55	4.60	4.65	4.70	4.75	4.80	4.85	4.95	6.55	7.45	9.00	10.40	12.30
7"																	4.45	4.50	4.55	4.60	4.65	4.70	4.75	4.85	6.45	7.35	8.90	10.30	12.20
7 1/4"																	4.35	4.40	4.45	4.50	4.55	4.60	4.65	4.75	6.35	7.25	8.80	10.20	12.10
7 1/2"																	4.25	4.30	4.35	4.40	4.45	4.50	4.55	4.65	6.25	7.15	8.70	10.10	12.00
7 3/4"																	4.15	4.20	4.25	4.30	4.35	4.40	4.45	4.55	6.15	7.05	8.60	10.00	11.90
8"																	4.05	4.10	4.15	4.20	4.25	4.30	4.35	4.45	6.05	6.95	8.50	9.90	11.80
8 1/4"																	3.95	4.00	4.05	4.10	4.15	4.20	4.25	4.35	5.95	6.85	8.40	9.80	11.70
8 1/2"																	3.85	3.90	3.95	4.00	4.05	4.10	4.15	4.25	5.85	6.75	8.30	9.70	11.60
8 3/4"																	3.75	3.80	3.85	3.90	3.95	4.00	4.05	4.15	5.75	6.65	8.20	9.60	11.50
9"																	3.65	3.70	3.75	3.80	3.85	3.90	3.95	4.05	5.65	6.55	8.10	9.50	11.40
9 1/4"																	3.55	3.60	3.65	3.70	3.75	3.80	3.85	3.95	5.55	6.45	8.00	9.40	11.30
9 1/2"																	3.45	3.50	3.55	3.60	3.65	3.70	3.75	3.85	5.45	6.35	7.90	9.30	11.20
9 3/4"																	3.35	3.40	3.45	3.50	3.55	3.60	3.65	3.75	5.35	6.25	7.80	9.20	11.10
10"																	3.25	3.30	3.35	3.40	3.45	3.50	3.55	3.65	5.25	6.15	7.70	9.10	11.00
10 1/4"																	3.15	3.20	3.25	3.30	3.35	3.40	3.45	3.55	5.15	6.05	7.60	9.00	10.90
10 1/2"																	3.05	3.10	3.15	3.20	3.25	3.30	3.35	3.45	5.05	5.95	7.50	8.90	10.80
11"																	2.95	3.00	3.05	3.10	3.15	3.20	3.25	3.35	4.95	5.85	7.40	8.80	10.70
11 1/4"																	2.85	2.90	2.95	3.00	3.05	3.10	3.15	3.25	4.85	5.75	7.30	8.70	10.60
11 1/2"																	2.75	2.80	2.85	2.90	2.95	3.00	3.05	3.15	4.75	5.65	7.20	8.60	10.50
12"																	2.65	2.70	2.75	2.80	2.85	2.90	2.95	3.05	4.65	5.55	7.10	8.50	10.40
12 1/4"																	2.55	2.60	2.65	2.70	2.75	2.80	2.85	2.95	4.55	5.45	7.00	8.40	10.30
12 1/2"																	2.45	2.50	2.55	2.60	2.65	2.70	2.75	2.85	4.45	5.35	6.90	8.30	10.20
12 3/4"																	2.35	2.40	2.45	2.50	2.55	2.60	2.65	2.75	4.35	5.25	6.80	8.20	10.10
13"																	2.25	2.30	2.35	2.40	2.45	2.50	2.55	2.65	4.25	5.15	6.70	8.10	10.00
13 1/4"																	2.15	2.20	2.25	2.30	2.35	2.40	2.45	2.55	4.15	5.05	6.60	8.00	9.90
13 1/2"																	2.05	2.10	2.15	2.20	2.25	2.30	2.35	2.45	4.05	4.95	6.50	7.90	9.80
14"																	1.95	2.00	2.05	2.10	2.15	2.20	2.25	2.35	3.95	4.85	6.40	7.80	9.70
14 1/4"																	1.85	1.90	1.95	2.00	2.05	2.10	2.15	2.25	3.85	4.75	6.30	7.70	9.60
14 1/2"																	1.75	1.80	1.85	1.90	1.95	2.00	2.05	2.15	3.75	4.65	6.20	7.60	9.50
15"																	1.65	1.70	1.75	1.80	1.85	1.90	1.95	2.05	3.65	4.55	6.10	7.50	9.40
16"																	1.55	1.60	1.65	1.70	1.75	1.80	1.85	1.95	3.55	4.45	6.00	7.40	9.30
17"																	1.45	1.50	1.55	1.60	1.65	1.70	1.75	1.85	3.45	4.35	5.90	7.30	9.20
18"																	1.35	1.40	1.45	1.50	1.55	1.60	1.65	1.75	3.35	4.25	5.80	7.20	9.10
19"																	1.25	1.30	1.35	1.40	1.45	1.50	1.55	1.65	3.25	4.15	5.70	7.10	9.00
20"																	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.55	3.15	4.05	5.60	7.00	8.90

TABLE 60—MAXIMUM PRICES FOR GALVANIZED NAILS

Galvanized staples	Sales at wholesale (per hundred pounds)	Sales at retail (per pound)
3/4" to 2 1/2" x No. 7 Ga.	\$6.20	\$0.09
3/4" to 2 1/2" x No. 8 Ga.	6.20	.09
3/4" to 2 1/2" x No. 9 Ga.	6.20	.09
3/4" to 2 1/2" x No. 10 Ga.	6.65	.10
3/4" to 2 1/2" x No. 11 Ga.	6.90	.10
3/4" to 2 1/2" x No. 12 Ga.	7.20	.11
3/4" to 1 3/4" x No. 13 Ga.	7.65	.11
3/4" to 1 3/4" x No. 14 Ga.	8.40	.12
3/4" to 1 3/4" x No. 15 Ga.	9.20	.14
3/4" to 1 3/4" x No. 16 Ga.	10.50	.16
2/8 x 8 Lick Proof Roofing Nails.	10.00	.15

[Sec. 66 added by Am. 33, 9 F.R. 4821, effective 5-9-44]

SEC. 67. *Maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico*—(a) *Definitions*. When used in this section 67, the term:

(1) "Shoes" means all types of covering for the human feet except hosiery.

(2) "Job lot" means a single purchase of a group of shoes all of which in trade terms are "seconds," "imperfects," "close outs," "sub-standards," "discontinued models" or "samples."

(3) "Shoe reference book" means a book containing the seller's descriptive entries of the shoes which he is offering for sale and the maximum prices authorized for them by this section.

(4) "Reference stock number" means the numbers employed by the manufacturer or supplier and the seller to identify a pair of shoes.

(5) A "price line of shoes" means a group of styles of footwear offered by a seller at the same price for each style in the group.

(6) "Group A" refers to all women's, misses' and growing girls' shoes which cost \$3.00 or less per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost \$4.00 or less per pair f. o. b. port of shipment.

(7) "Group B" refers to all women's, misses' and growing girls' shoes which cost more than \$3.00 per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost more than \$4.00 per pair f. o. b. port of shipment.

(b) *Maximum prices for imported shoes*. Except as otherwise specified in paragraph (c) a seller's maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico shall be:

(1) For shoes which have been imported by the seller and which were not received as a part of a job lot, the cost per pair f. o. b. port of shipment multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.25	1.60
B	1.28	1.67

(2) For shoes which have not been imported by the seller and which were not received by him as a part of a job lot, the price paid to the importer multiplied by:

Group:	Sales at retail
A	1.23
B	1.30

(3) For a job lot of shoes sold intact, the cost of the job lot, f. o. b. point of shipment, multiplied by 1.25. This markup may be taken only once, regardless of the number of sellers.

(4) For each pair of shoes received in a job lot, the price fixed by the seller: *Provided*, That the total of the prices charged for each pair of shoes within the job lot in which the shoes were received, shall not exceed the cost of the lot f. o. b. port of shipment multiplied by 1.25 at wholesale and 1.60 at retail on sales by importers, and the price paid to the importer multiplied by 1.23 on sales at retail by a merchant other than the importer.

(5) For shoes purchased in a job lot, part of which job lot has been sold prior to the effective date of this regulation, the price established and filed with the War Price and Rationing Boards in accordance with the requirements of the General Maximum Price Regulation. The seller's maximum price for shoes from a broken job lot which cannot be established by reference to such a price list shall be a maximum price, in line with the level of maximum prices established by this regulation, as determined by the Director of the Office of Price Administration at San Juan, Puerto Rico, on application of the seller.

(c) *Duty*. On all shoes on which duty is payable, the seller may add to the price of each pair of shoes the charge for duty which he has paid on them. The duty shall not be included in the cost price either by the importer or by the retailer for purposes of computing the markup to which the seller is entitled. Sales of imported shoes at wholesale on which duty has been paid shall be so invoiced as to state the amount of duty separately from the price charged for the shoes.

(d) *Trade practices*. The markups authorized herein are gross markups which shall not be exceeded regardless of any additional, unexpected, or unusual costs which the seller may have incurred or of the number of sellers handling the shoes. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower net price.

(e) *Prohibited practices*. It shall be unlawful for any seller to improperly classify a pair of shoes for the purpose of evading the pricing provision applicable to the sale of such shoes. It shall likewise be unlawful for any seller to revise the price entered in his shoe reference book for any pair of shoes except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots*. Within five days of his first sale of a pair of shoes from a job lot the seller shall file a statement with the Territorial Office of the Office of Price Administration, San Juan, Puerto Rico, a copy with his local War Price and Rationing Board and retain a copy for his own files, which statement shall show:

(1) The name and address of the person from whom the lot was purchased;

(2) A description of the job lot;

(3) The number of pairs of shoes included within each price line;

(4) The reference stock number assigned as provided in paragraph (a);

(5) The f. o. b. port of shipment cost of the job lot to the seller, if imported by the seller, or the price paid to the importer for the job lot if not imported by the seller;

(6) The amount of duty, if any, paid by the importer;

(7) The selling price of each pair of shoes as determined in accordance with the pricing provision of paragraph (b) of this section; and

(8) Over-all markup taken by the seller on the job lot.

(g) *Identification of shoes*. Every seller shall assign a separate reference stock number to each price line of shoes and shall clearly mark on each pair of shoes the stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

(h) *Shoe reference book*. (1) Every person selling shoes shall prepare a shoe reference book which he shall keep and make available for examination by the Office of Price Administration or by any person duly authorized by the Territorial Director of the Office of Price Administration, in which shall be entered prior to the time shoes are sold or offered for sale, the following information for each price classification of shoes in the seller's stock:

(i) The reference stock numbers;

(ii) A description of the units included;

(iii) The name and address of the supplier;

(iv) The date received;

(v) The cost to the seller or the price paid to the importer, whichever price is material in accordance with the pricing provision utilized, the duty if any paid by the importer;

(vi) The multiplier used in computing the maximum price; and

(vii) The selling price at wholesale or at retail depending upon the level at which the shoes are offered for sale.

(2) The maximum price charged by each seller and entered in his shoe reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's Local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the shoe reference book shall be made in numerical sequence. Shoes received by the seller which are identical to others earlier entered into the reference book shall be re-entered under a new reference stock number.

(i) *Notification to customers*. Every person selling shoes, except at retail, shall with each delivery supply the purchaser with a statement, which may be

included in and made a part of the seller's invoice, specifying with respect to each price classification delivered:

- (1) The seller's reference stock number;
- (2) A notation of the pricing provision employed;
- (3) The number and description of units sold;
- (4) The price charged; and
- (5) The duty paid, if any.

The provisions of this paragraph (1) supersede section 11 (b) (1) of Revised Maximum Price Regulation 183 with respect to sales of shoes.

[Sec. 67 added by Am. 36, 9 F.R. 5167, effective 6-1-44]

SEC. 68. Maximum prices for cast iron cooking pots fabricated in Puerto Rico.

TABLE 61—MAXIMUM PRICES FOR CAST IRON COOKING POTS FABRICATED IN PUERTO RICO

Item and brand name	Price at wholesale	Price at retail
Cast iron cooking pot.	\$0.15 per lb.	\$0.225 per lb.

SEC. 69. Maximum prices for composition notebooks.

TABLE 62—MAXIMUM PRICES FOR COMPOSITION NOTEBOOKS

Description of Item

Composition Notebooks with the following specifications:

Groundwood; Tablet paper, Flexible cover "Imitation pressboard."

	Price at wholesale (per gross)
40 pages—20 leaves.....	\$4.20
48 pages—24 leaves.....	4.45
60 pages—30 leaves.....	5.08
72 pages—36 leaves.....	5.72
80 pages—40 leaves.....	6.35
96 pages—48 leaves.....	7.00
100 pages—50 leaves.....	7.00
120 pages—60 leaves.....	8.25
200 pages—100 leaves.....	12.07

Woodfree paper; Flexible cover "Imitation pressboard."

	Price at wholesale (per gross)
40 pages—20 leaves.....	\$4.45
48 pages—24 leaves.....	4.70
60 pages—30 leaves.....	5.33
72 pages—36 leaves.....	5.96
80 pages—40 leaves.....	6.60
96 pages—48 leaves.....	7.23
100 pages—50 leaves.....	7.43
120 pages—60 leaves.....	8.77
200 pages—100 leaves.....	12.70

NOTE: On sales of composition notebooks with "Hard marble" cover the maximum price may be increased 20¢ per gross.

[Secs. 68 and 69 added by Am. 45, effective 8-2-44]

This Revised Maximum Price Regulation 183 shall become effective July 15, 1943. [Revised Maximum Price Regulation 183 originally issued July 15, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in

accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11295; Filed, July 28, 1944; 4:30 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-10, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN LEXINGTON, KY. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by General Order No. 50, and by him delegated to the District Director of the Lexington, Kentucky District under the provisions of Delegation Order 1-A Revised, It is hereby ordered, That Restaurant Maximum Price Regulation 3-10 be, and the same is hereby amended by adding a new paragraph designated (e), following paragraph (d) of section 17—Exemption to read as follows:

(e) Eating and drinking places owned or operated by charitable, religious or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of Income Tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable or cultural purposes generally recognized as such in the community where the food items and meals are served by such organization.

This amendment shall become effective April 6, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9350, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681, General Order No. 50, 8 F.R. 4808)

Issued this 5th day of April 1944.

E. REED WILSON,
District Director.

[F. R. Doc. 44-11289; Filed, July 28, 1944; 4:33 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-6]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN TULSA, OKLA., DISTRICT

Restaurant Maximum Price Regulation No. 5-6 is redesignated as Revised Restaurant Maximum Price Regulation No. 5-6, and is revised and amended to read as follows:

In the judgment of the District Director of the Tulsa, Oklahoma District Office, Region V of the Office of Price Administration, the prices of food and

beverages sold for immediate consumption in Muskogee, Oklahoma have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director of the Tulsa, Oklahoma District Office, Region V of the Office of Price Administration, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the District Director of the Tulsa, Oklahoma District Office, gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" (H. R. 7565), 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the Tulsa, Oklahoma District Office hereby issues this Revised Restaurant Maximum Price Regulation No. 5-6, establishing as maximum prices for food and drink sold for immediate consumption in Muskogee County, Oklahoma, the prices prevailing therefor during the seven-day period beginning April 4, 1943 and ending April 10, 1943.

§ 1448.406 Maximum prices for food and drink sold for immediate consumption. Under the authority vested in the District Director of the Tulsa, Oklahoma District Office, Region V of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, and Region V Delegation Order No. 48, Revised Restaurant Maximum Price Regulation No. 5-6 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.406 issued under 56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808.

REVISED RESTAURANT MAXIMUM PRICE REGULATION No. 5-6—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

Sec.

1. Sales at higher than ceiling prices prohibited.

*Copies may be obtained from the Office of Price Administration.

Sec.

2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943.
3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.
4. How you figure your prices for seasonal items.
5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
6. Substitution of food items in meals.
7. Prohibition against manipulation of meal offerings.
8. Evasion.
9. Rules for new proprietors.
10. Seasonal eating and drinking places.
11. Taxes.
12. Records.
13. Posting.
14. Operation of several places.
15. Relation to other maximum price regulations.
16. Geographical application.
17. Enforcement.
18. Exempt sales.
19. Adjustments.
20. Definitions and explanations.
21. Classes of food items and meals.
22. Special orders.
23. Licensing.
24. Revocation and amendment.

SECTION 1. Sales at higher than ceiling prices prohibited. If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3).

You may, of course, sell at lower than ceiling prices.

SEC. 2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943. Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period. You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal

which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. How you figure your prices for seasonal items. First, determine your ceiling price for a "seasonal food item", defined in section 20 (e), in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item, provided that in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period. Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21 A class 24 a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at \$1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.50.

SEC. 6. Substitution of food items in meals. If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or

main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. Prohibition against manipulation of meal offerings. You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example: If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. Evasion. (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchased by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period;

(5) Reducing the selection of meals offered at table d'hôte prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hôte

price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hôte dinners at \$1.10, you may not now offer fish à la carte and refuse to offer it on a table d'hôte dinner priced at \$1.10.

Example 2. If you offered table d'hôte dinners during the base period at 85¢ to \$1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to \$1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful, except that less may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 9. Rules for new proprietors. (a) If you acquire another's business subsequent to the seven-day period and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor would have been had he continued to operate the business.

(1) If your acquisition was subsequent to the seven-day period but prior to the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. You may not, however, make such application after June 1, 1944.

(2) Prior to acquiring another's business after the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section.

If you are granted permission to price under paragraph (b) of this section, it will be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or

drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

SEC. 10. Seasonal eating and drinking places—(a) Exempt places. If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 percent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the administrator will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in section 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the Tulsa, Oklahoma District Office of the Office of Price Administration. Your application must be filed ten days prior to the date you plan to commence operations and present the following information.

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The name of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. Taxes. If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 12. Records. (a) You must observe all the record keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943 and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

SEC. 13. Posting. (a) Beginning April 1, 1944, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration regulation, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a con-

spicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter on this sign or poster your ceiling price for each meal or food item appearing thereon.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation do not supersede other regulations, including the General Maximum Price Regulation, and Revised Order No. G-1 under General Order No. 50 (Tulsa Beer Order), now or hereafter issued by the Office of Price Administration, in so far as they establish maximum prices for meals, food items and beverages sold by eating and drinking establishments.

SEC. 16. *Geographical application.* This Revised Restaurant Maximum Price Regulation No. 5-6 applies to the County of Muskogee in the State of Oklahoma.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation.

(a) Eating and drinking places operated in connection with Church, Sunday School and other religious occasions or activities, except when such places are operated as a regular business.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers, (when operated as such) including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may

apply for an adjustment of your maximum prices by submitting to the Tulsa, Oklahoma District Office of the Office of Price Administration a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered, (such as cafeteria, table service, etc.) classes of meals offered, (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,¹ and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the Tulsa, Oklahoma District Office. Applications for adjustment under this section shall be acted upon by the Director of the Tulsa, Oklahoma District Office.

SEC. 20. *Definitions and explanations.*

(a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during

certain seasonal production periods of each year. Examples are: certain shellfish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) "Eating or drinking place" means any place, establishment, business, or location, whether temporary or permanent, stationery or movable, including, but not limited to, a restaurant, hotel, cafe, cafeteria, boarding house, diner, coffee shop, tea room, private club, bar, tavern, delicatessen, soda fountain, cocktail lounge, catering business, or any other place from which any food items or meals are offered for sale or sold.

(g) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20.)

(a) *The classes of food items.*

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes, including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef; steaks and roasts.
11. Veal; steaks, chops and roasts.
12. Pork; loin, chops, steaks, roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
- 24a. Desserts: seasonal dessert specialties such as watermelon and canteloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters, and cordials.

¹ In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

Sec. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

Sec. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 24. *Revocation and amendment.* (a) This regulation may be amended, corrected, revised or revoked at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the Tulsa District Director.

This regulation shall become effective at 12:01 a. m., central wartime, April 1, 1944.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Tulsa, Oklahoma, this the 27th day of March 1944.

BEN O. KIRKPATRICK,
District Director.

[F. R. Doc. 44-11291; Filed, July 28, 1944;
4:34 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-11]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN SHREVEPORT, LA., DISTRICT

Restaurant Maximum Price Regulation No. 5-11 is redesignated as Revised Restaurant Maximum Price Regulation No. 5-11, and is revised and amended to read as follows:

In the judgment of the Shreveport, Louisiana, District Director, the prices of food and beverages sold for immediate consumption in the following Parishes of Louisiana: Bienville, Bossier, Caddo,

Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, and Winn; have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Shreveport Louisiana, District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the Shreveport, Louisiana, District Director gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living," 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the Shreveport, Louisiana, District Director hereby issues this Revised Restaurant Maximum Price Regulation No. 5-11, establishing as maximum prices for food and drink sold for immediate consumption in the parishes mentioned above the prices prevailing therefore during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.411 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the Shreveport, Louisiana, District Director by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50, issued by the Office of Price Administration, Revised Restaurant Maximum Price Regulation No. 5-11 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made part hereof, is hereby issued.

AUTHORITY: § 1448.411 issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681.

REVISED RESTAURANT MAXIMUM PRICE REGULATION No. 5-11—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

Sec.

1. Sales at higher than ceiling prices prohibited.
2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.
8. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.

*Copies may be obtained from the Office of Price Administration.

Sec.

4. How you figure your prices for seasonal items.
5. No ceiling prices for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
6. Substitution of food items in meals.
7. Prohibition against manipulation of meal offerings.
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18. Exempt Sales.
19. Adjustments.
20. Definitions and explanations.
21. Classes of food items and meals.
22. Special orders.
23. Licensing.
24. Revocation and amendment.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage, except malt beverages) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

Sec. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

Sec. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently," as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

Sec. 4. How you figure your prices for seasonal items. First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule: *Provided*, The ceiling price was based upon estimated average raw food cost of the item for the entire season.

Sec. 5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period. Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21A, Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at \$1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.50.

Sec. 6. Substitution of food items in meals. If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price: *Provided*, The new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than

the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

Sec. 7. Prohibition against manipulation of meal offerings. You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example. If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

Sec. 8. Evasion. (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price.

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period.

(5) Reducing the selection of meals offered at table d'hôte prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hôte price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hôte dinners at \$1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hôte dinner priced at \$1.10,

Example 2. If you offered table d'hôte dinners during the base period at 85¢ to \$1.25 which included dessert and beverages, you may now offer the same off item excluding dessert and beverage at 65¢ to \$1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one pat of butter per meal.

(2) You may reduce the quantity, or eliminate altogether, condiments such as catsup, chili sauce, etc., which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(3) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than one teaspoonful except that less than that may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catsup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

Sec. 9. Rules for new proprietors. (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

Sec. 10. Seasonal eating and drinking places—(a) Exempt places. If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4, to 10, 1943;

(2) Received 90 percent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order 50, and you are still subject to the provisions of section 23 of this regulation. Pursuant to this latter section the director will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3, and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the OPA District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

Sec. 11. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

Sec. 12. *Records.* (a) You must observe all the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You

must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation you must keep for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at the central office or the central offices of the principal place of business within the city.

Sec. 13. *Posting.* (a) Beginning April 1, 1944, each menu must have clearly and plainly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By the Office of Price Administration regulation, our ceilings are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available to customers in the seven-day period, you shall continue to make them available.

(c) In addition to requirements in (a) and (b) you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

(d) You must also post at or near the place where beverage items are offered for sale a notice, which will be plainly visible to your customers, as follows: "Amounts which may be added to existing ceilings by Federal Revenue Act of 1943: Effective April 1, 1944."

(1) Straight or mixed drinks containing distilled spirits of 80 proof or more.

(i) One-half ounce and not more than one ounce of such spirits—2 cents.

(ii) More than one ounce but less than 1½ ounces of such spirits—3 cents.

(iii) 1¾ ounces or more of such spirits—4 cents.

(2) Straight or mixed drinks containing one ounce or more distilled spirits of less than 80 proof—2 cents.

(3) Drinks of 2½ ounces or more still wines 14–21 per cent alcohol—1 cent.

(4) Drinks of 3 ounces or more of champagne, sparkling wine, carbonated wine or wine based cordials—3 cents.

Sec. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

Sec. 15. *Relation to other maximum price regulations.* The provisions of this regulation do not supersede the General Maximum Price Regulation, the Shreveport, Louisiana, District Beer Order, or any other regulation affecting maximum prices for food items or meals sold by eating and drinking places.

Sec. 16. *Geographical application.* This Revised Restaurant Maximum Price Regulation No. 5–11 applies to the following parishes: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll and Winn.

Sec. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) All sales of malt beverages.

(e) Eating and drinking places owned and operated by charitable, religious or cultural organization such as the United Service Organization, Red Cross or similar organizations selling food items or meals on a non-profit basis primarily to members of the Armed Forces.

(f) Bona fide fraternity or sorority houses located at a recognized school, college or university insofar as such houses sell only to members and bona fide guests of members. If such houses sell to persons other than members or bona fide guests of members, such houses shall be considered for all sales an eating or drinking place within the meaning of this regulation. No such house shall be considered to be exempt within the meaning

of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and it otherwise is operated as a fraternity or sorority house.

(g) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this subparagraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered students.

(h) Eating and drinking places operated on a non-profit basis by the school department of any parish, city or town, and like places operated on a non-profit basis by any private or religious organization, and serving food items or meals exclusively to pupils and teachers.

(i) Eating cooperatives formed by officers in the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to officers who are members of the cooperative.

(j) Bona fide private clubs insofar as such clubs sell only to members and bona fide guests of members. If such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking place within the meaning of this regulation. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and it otherwise is operated as a private club. No club organized after the effective date of this amendment shall be exempt unless and until it has filed a request for exemption with the Shreveport, Louisiana, District Office of the Office of Price Administration, furnishing such information as may be required, and has received communication from such office authorizing exemption as a private club.

Sec. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will

have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfied the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,¹ and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the Shreveport, Louisiana, District Office Applications for adjustment under this section shall be acted upon by the Director of the Shreveport, Louisiana, District Office.

Sec. 20. *Definitions and explanations.*

(a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, any of its political subdivision, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages, except malt beverages) sold or served by an

eating and drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food items" means a food item (including beverage, except malt beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

Sec. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20.)

(a) *The classes of food items.*

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juice.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish pastries, etc., served at breakfast.
7. All other breakfast dishes including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef; steaks and roasts.
11. Veal; steaks, chops, and roasts.
12. Pork; loin, chops, steaks, and roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries, and other baked goods.
24. Desserts: ice cream, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
- 24a. Desserts: Seasonal dessert specialties such as watermelon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishing, calads and vegetables.
27. Hot sandwiches, including garnishings, calads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea, and milk.

¹ In counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served.

BEVERAGES

Sec.

30. Non-alcoholic beverages, including sparkling and mineral waters.
 31. Wines, including sparkling wines.
 32. Liquors, including whiskeys, gins and brandies.
 33. Cordials, including fruit liqueurs.
 34. All other alcoholic beverages, except malt beverages.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

Sec. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when in the judgment of the Administrator, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended and Executive Orders Nos. 9250 and 9328.

Sec. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the District Director.

This regulation shall become effective April 1, 1944.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of March 1944.

J. E. BRUMFIELD,
District Director.

[F. R. Doc. 44-11290; Filed, July 28, 1944;
4:33 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200,¹ Amdt. 15]

RUBBER HEELS IN THE SHOE REPAIR TRADE

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 200 is amended in the following respects:

1. The title of the regulation is amended to read as follows: "Rubber Heels in the Shoe Repair Trade".

2. In § 1315.1405 (a) (1) (ii) the following brand names and manufacturers' names are added to appear in alphabetical order:

Columbia..... New Jersey Rubber Company
 Fleetfoot..... New Jersey Rubber Company
 Fleetfoot 60..... New Jersey Rubber Company
 Tauko..... New Jersey Rubber Company

and the brand name "O'Sullivan's" is amended to read "O'Sullivan's Safety Cushion".

3. Section 1315.1405 (a) (1) (iii) is amended by deleting the following brand name and corresponding manufacturer's name under the heading "Standard":

Fleetfoot 60..... New Jersey Rubber Company

4. Section 1315.1405 (a) (1) (iv) is amended by deleting therefrom the following brand name and corresponding manufacturer's name under the heading "Competitive":

Fleetfoot..... New Jersey Rubber Company

and by adding thereto the following brand name and corresponding manufacturer's name in alphabetical order:

Spartan..... New Jersey Rubber Company

5. Section 1315.1405 (a) (1) (v) is amended by deleting therefrom the following brand names and their corresponding manufacturers' names under the heading "Special Competitive":

Columbia..... New Jersey Rubber Company
 Regent..... U. S. Rubber Company
 Reliance..... U. S. Rubber Company
 Spartan..... New Jersey Rubber Company
 Tauko..... New Jersey Rubber Company

6. Section 1315.1405 (c) (1) is amended to read as follows:

(1) *Non-fiber heels.* The following are the physical tests that "non-fiber heels" sold by manufacturers must meet:

Grade	All types except whole heels		Whole heels	
	Minimum abrasion ¹	Tensile strength	Minimum abrasion ¹	Tensile strength
Super (V-1).....	35	1,200	30	1,000
Standard (V-2).....	30	1,000	20	700
Competitive (V-3).....	20	700	15	600
Special Competitive (V-4).....	10	400	10	400

¹ NOTE: A minus tolerance of 2 is permitted on Super (V-1), Standard (V-2), and Competitive (V-3) heels until January 1, 1945, after which time no minus tolerance shall be permitted. No minus tolerance is permitted on Special Competitive (V-4) heels.

Non-fiber heels are either heels which do not contain any fiber, or heels which contain fiber only in one or more plugs, which are placed in the area of greatest wear.

*Copies may be obtained from the Office of Price Administration.

This amendment shall become effective August 3, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11344; Filed, July 20, 1944;
11:42 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,¹ Amdt. 81]

TIRES, TUBES, RECAPPING AND CAMELBAC

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (14) is amended to read as follows:

(14) "Tractor-implement tire" means a tire designed primarily for use on tractors or farm implements, but does not include an industrial-type tire. "Large" as applied to a tractor-implement tire means a cross-section size larger than 7.50, and "small" means a cross-section size of 7.50 or smaller.

2. Section 1315.201 (a) (39) is amended by inserting after the phrase "farm tractor," the phrase "farm wagon".

3. Section 1315.505 (b) is amended to read as follows:

(b) *List B.* (1) A certificate for a truck tire listed in the table below or for any grade of passenger tire may be issued for a commercial motor vehicle which meets the applicable conditions of §§ 1315.501 and 1315.504 and which is used exclusively by medical or dental laboratories, or for the transportation of apparel by dry cleaners, or for the transportation of laundry, drugs, medicinal supplies or essential food. The incidental transportation of other property simultaneously with any of the aforesaid commodities shall not remove eligibility if it involves no diversion from the vehicle's normal route or schedule.

New or Used

32 x 4½	6.50-18
30 x 5	6.50-20
33 x 5	6.50-20/32 x 6-8 ply
34 x 5	7.00-15
35 x 5	7.00-16
32 x 6-8 ply	7.00-17
5.25/5.50-17	7.00-18
6.00-16	7.00-20-8 ply
6.00-17	7.50-15
6.00-18	7.50-16
6.00-20	7.50-17
6.00-20/30 x 5	7.50-18-8 ply
6.25-16	7.50-20-8 ply
6.50-16	7.50-24-8 ply
6.50-17	

Used

7.00-20/32 x 6

(2) A certificate for a used truck tire in the sizes and plies listed in the table in subparagraph (1) or for any grade of passenger tire may be issued for any commercial motor vehicle which meets the applicable requirements of §§ 1315.501 and 1315.504.

¹ 9 F.R. 5903.

¹ 7 F.R. 9160, 9392, 9724.

4. Section 1315.506 (a) (1) is amended to read as follows:

(1) A farm tractor, farm implement or farm wagon.

(i) These vehicles may be issued certificates only for tractor-implement, used truck-type or Grade III tires.

(ii) In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a small tractor-implement tire, a used truck-type tire or a Grade III tire, even though the tire to be replaced is recappable.

(iii) No Board may issue a certificate for tires for farm tractor, farm implement or farm wagon which was not equipped with wheels permitting operation on tires on August 2, 1944, unless approval to operate on tires has been secured from the War Food Administration through its appropriate county or State committee.

5. The second sentence of § 1315.511 (a) is amended to read as follows: "However, if the Board determines that a passenger-type tire would be an uneconomical use of rubber in view of the load to be carried, it may issue a certificate for a truck tire listed in the table in § 1315.505 (b) (1)."

6. Section 1315.513 is amended to read as follows:

§ 1315.513 *Eligibility for allotment of tractor-implement tires*—(a) *Who may obtain an allotment of tractor-implement tires.* Any dealer or any person who intends in good faith to become a dealer may obtain one allotment of tractor-implement tires: *Provided, however,* That no allotment shall be granted under this section for an establishment which received an allotment of rear wheel tractor tires prior to August 2, 1944.

(b) *Amount of allotment of tractor-implement tires.* The maximum allotment for an establishment shall be six tractor-implement tires. In determining the amount that may be granted to an applicant, the amount of unmounted tractor-implement tires held at the establishment must be deducted from the maximum allotment, and certificates may be issued for no more than the difference.

The District Director may refuse to authorize the allotment if granting it will defeat or impair the effectiveness or policy of this Ration Order No. 1A.

7. Section 1315.602 (i) is amended by deleting the phrase "rear wheel tractor tires and tubes" wherever it appears and substituting in lieu thereof in each instance the phrase "tractor-implement tires".

8. Section 1315.611 (c) is amended to read as follows:

(c) *Delivery pursuant to certificate.* If the foregoing requirements have been fulfilled, the dealer, manufacturer or warehouseman to whom the certificate has been surrendered may deliver to the person to whom the certificate was issued, or to his agent, the number of tires described thereon, except that the following variances are permitted:

(1) An industrial-type tire or a Grade I tire of any size suitable for use on the vehicle or equipment for which a certificate was issued may be delivered in exchange for a Grade I tire certificate.

(2) A Grade III tire of any size suitable for use on the vehicle or equipment for which a certificate was issued may be delivered in exchange for a Grade III tire certificate.

(3) An industrial-type tire or a Grade III tire may be delivered in exchange for a small tractor-implement tire certificate.

(4) A new 4.00-12 tractor-implement tire may be delivered in exchange for a certificate for a passenger-type tire size 4.25-12 or 4.50-12.

9. The replenishment table in § 1315.804 (c) (3) is amended to read as follows:

<i>If Part B calls for—</i>	<i>Dealer or manufacturer may replenish with—</i>
Any size Grade I tire	Any size Grade I or III tire
Any size Grade II tire	Any size Grade I or III tire
Any size Grade III tire	Any size Grade III tire
Any size Grade I or II tire only	Any size Grade I tire
Any size truck or large tractor - implement tire	Any size truck, tractor - implement or Grade III tire
Any size small tractor-implement tire	Any size small tractor - implement or Grade III tire

10. Section 1315.806 (p) (1) (iii) is amended to read as follows:

(ii) Used tractor-implement tires;

11. Section 1315.806 (p) (1) (iii) is revoked.

12. Section 1315.808 (a) (1) is amended by adding the phrase "the Office of Strategic Services," after the phrase "the Office of Scientific Research and Development".

13. Section 1315.808 (b) is amended to read as follows:

(b) *Transfer to manufacturer of vehicles or equipment.* (1) A dealer or manufacturer may transfer new tires to a manufacturer of vehicles or equipment only upon receiving from him the certification required to be made under Rubber Order R-1 and its appendices.

(2) A dealer or manufacturer may transfer used tires to a manufacturer of vehicles or equipment upon receiving a certification from him that the tires will, within 30 days of their acquisition, be mounted on vehicles or equipment manufactured by him.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective August 2, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7,

1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11342; Filed, July 29, 1944; 11:41 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A, Amdt. 82]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respects:

1. Sections 1315.607 (a) and (b) (1) are amended by inserting after the phrase "on OPA Form R-2 (Revised)" the phrase "or on OPA Form R-306".

2. Section 1315.607 (c) is added to read as follows:

(c) *When and how OPA Form R-306 is to be used.* (1) No Board or District Director may issue a certificate on OPA Form R-306 until the Board or District Director has been authorized to do so by the Regional Administrator. A Regional Administrator may authorize Boards and District Directors in his region to issue certificates for tires on OPA Form R-306 whenever the Deputy Administrator in charge of rationing approves such action.

(2) A Board or District Director in issuing a certificate on OPA Form R-306, shall make the following changes on the form:

(i) Delete from the name of the Form "Sugar Purchase" and insert in its place "Tire".

(ii) Delete the phrase "pounds of sugar pursuant to Rationing Order No. 3 (Sugar Rationing Regulations) of, and at a price not to exceed the maximum price established by, the Office of Price Administration".

(iii) Enter at the top of the original of the form the phrase "Replenishment Portion".

(iv) Delete the words "by local rationing Board" appearing at the bottom of the duplicate portion of the form and insert in their place the words "dealer or manufacturer".

3. Section 1315.609 (b) is amended by deleting the phrase "Part B" wherever it occurs and inserting in its place the phrase "the replenishment portion".

4. Section 1315.609 (c) is amended to read as follows:

(c) *Replenishment portion of used truck tire certificate to be voided.* When a Board issues a certificate for a used truck tire under § 1315.505 or § 1315.515

*Copies may be obtained from the Office of Price Administration.

*7 F.R. 8169, 9392, 9724.

it shall mark the replenishment portion thereof "void for replenishment".

5. Section 1315.610 (b) is amended by adding after the second sentence a new sentence as follows: "Serial numbers appearing in the upper right hand corner of a certificate on OPA Form R-306 designate the tires to be turned in to a dealer or manufacturer pursuant to this paragraph."

6. Section 1315.610 (c) is amended to read as follows:

(c) *Signing of certificates.* The applicant or his agent shall sign all parts of a certificate on OPA Form R-2 in accordance with the instructions thereon and all parts of a certificate on OPA Form R-306 on the back thereof, prior to acquiring the tires specified on the certificate. The same person shall sign all parts of the certificate where the signature of the certificate holder is required. No member or employee of the Board issuing the certificate, no tire inspector and no dealer or manufacturer shall act as agent of the applicant in signing these certificates. However, in the case of purchase by mail, the dealer or manufacturer, on behalf of the certificate holder, may sign Parts B and D of OPA Form R-2 if the certificate holder has signed Part A, and may sign the duplicate and triplicate copies of OPA Form R-306 if the certificate holder has signed the original.

7. The last sentence of § 1315.611 (a) is deleted and the following sentence is added at the end of the paragraph: "The duplicate portion of a certificate for tires on OPA Form R-306 may be used for the same purpose as Part A of OPA Form R-2."

8. Section 1315.611 (b) is amended to read as follows:

(b) *Certificate to be completed.* No dealer, warehouseman or manufacturer shall transfer tires in exchange for a certificate on OPA Form R-2 until both he and the certificate holder have signed and executed the certificate in accordance with the instructions thereon.

No dealer, warehouseman or manufacturer shall transfer tires in exchange for a certificate on OPA Form R-306 until the certificate holder has signed it pursuant to § 1315.610 (c); the serial numbers of the tires transferred have been entered below the certificate holder's signature on each part of the certificate; and the name, address, and signature of the dealer, warehouseman or manufacturer and the date of transfer are entered below the serial numbers of the tires transferred.

9. Section 1315.804 (a) is amended by deleting the parenthetical phrase "Parts B" and by substituting the phrase "replenishment portions" for the phrase "Parts B" appearing in the third and fourth sentences.

10. Section 1315.804 (c) (2) is amended to read as follows:

(2) *Restrictions on transfer of replenishment portions.* No dealer or manufacturer shall transfer tires in exchange for the replenishment portion of OPA

Form R-2, OPA Form R-46 or OPA Form R-306, unless the name and address of the transferor of the replenishment portion and the date of its transfer have been written thereon.

11. Section 1315.804 (c) (3) is amended by deleting the parenthetical phrase "Part B" and by substituting the phrase "replenishment portions" for the phrase "Part B" appearing in the heading of the replenishment table.

12. Section 1315.804 (l) is added to read as follows:

(l) *Disposition of replenishment portions when tire business is discontinued.*

(1) A dealer who is discontinuing the sale of tires at an establishment may transfer the replenishment portions of certificates or receipts which he has there to a person who intends to sell tires from the same establishment, upon written authorization of the District Director serving the area where the establishment is located. Such replenishment portions shall not be transferred under the authorization unless the name and address of the transferor of the replenishment portions and the date of the transfer have been written thereon.

(2) Application to transfer replenishment portions under subparagraph (1) shall be made by the transferor and transferee jointly and shall state the address of the establishment, the number of replenishment portions to be transferred and the number, type and grade of tires represented thereby. The application shall include a separate statement of the transferee that he intends to sell tires from that establishment.

(3) An authorization granted pursuant to this paragraph shall not act as a waiver of any suspension order issued against either the transferor or transferee or as a condonation of any violation of this Order committed by the transferor or transferee.

(4) A dealer who is discontinuing the sale of tires from an establishment and who has not been authorized to transfer his stock of replenishment portions of certificates or receipts at the establishment shall surrender them to the District Director serving the area in which the establishment is located. The District Director shall cancel the replenishment portions and issue a receipt therefor to the dealer who surrendered them.

13. Section 1315.807 (e) is amended by substituting the phrase "replenishment portions" for the phrase "Parts B" appearing in the headnote and by deleting the parenthetical phrase "Parts B".

14. That part of the text of § 1315.1003 (a) (1) preceding the first semicolon appearing therein is amended to read as follows: "Part A of OPA Form R-2 (Revised), Part A of OPA Form R-46 and the duplicate portion of OPA Form R-306 shall be retained by the transferor as his record;"

15. Section 1315.1003 (a) (2) is amended to read as follows:

(2) *Part B.* Part B of OPA Form R-2 (Revised), OPA Form R-20, OPA Form R-46 and OPA Form R-12 (Revised) and

the replenishment portion of OPA Form R-306 when transferred to a manufacturer for purposes of replenishment shall be marked "void except for replenishment by" The name of the first manufacturer to whom the replenishment portion is surrendered shall be inserted in the blank and the replenishment portion shall be used for replenishment only by such manufacturer. Parts of certificates good for replenishment but which are not used by the manufacturer for that purpose must be retained by the manufacturer as his record.

16. Section 1315.1003 (a) (4) is amended by adding after the phrase "OPA Form R-12 (Revised)" the phrase "and the triplicate portion of OPA Form R-306".

This amendment shall become effective August 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11343; Filed, July 29, 1944;
11:41 a. m.]

PART 1340—FUEL

[MPR 120,¹ Amdt. 112]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

In § 1340.231 (b) (4), the numeral 237 is inserted between the numerals 216 and 238.

This amendment shall become effective August 3, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11345; Filed, July 29, 1944;
11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 270,² Incl. Amdts. 1-3]

DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

This compilation of Second Revised Maximum Price Regulation 270 includes

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5042, 5375, 5587, 5826, 5915, 6433, 6451, 7261, 7574, 7602, 8047,

² 8 F.R. 16166.

Amendment 3, effective August 3, 1944. The text added or amended by Amendment 3 is underscored. Deletions are indicated by notes.

A statement of the considerations involved in the issuance of this Second Revised Maximum Price Regulation 270 has been issued and filed with the Division of the Federal Register.* Such grades, standards and specifications as are used in this regulation were, prior to the regulation, generally used in the trade or industry affected.

§ 1351.1201 *Maximum prices for certain sales of dry edible beans and certain other dry food commodities.* Under the authority vested by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, Second Revised Maximum Price Regulation 270 (Dry Edible Beans and Certain Other Dry Food Commodities) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.1201 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631.

SECOND REVISED MAXIMUM PRICE REGULATION 270—DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

ARTICLE I—EXPLANATION OF THE REGULATION

Sec.

1. Purpose of the regulation; commodities and types of sales covered; exempt sales; and geographical applicability.
2. Definitions.

ARTICLE II—PRICING PROVISIONS

3. Maximum prices for processors.
4. Maximum prices for all other sales.
5. Cost of transportation.
6. Packaging allowances.
7. Imported dry food commodities.
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ARTICLE III—GENERAL PROVISIONS

9. Applicability of certain provisions of the General Maximum Price Regulation.
10. Statements to be made on invoices.
11. Notification of change in prices.
12. Records which sellers must keep.
13. Compliance with this regulation.
14. Petitions for amendment.

ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *Purpose of the regulation; commodities and types of sales covered; exempt sales; and geographical applicability.*—(a) *Purpose of the regulation.* The purpose of this regulation is to establish maximum prices for certain sales of dry edible beans and such other dry food commodities as may be added. These will be referred to as "listed commodities."

(b) *Commodities covered.* This regulation covers all dry edible beans, and all dry peas both whole and split.

[Paragraph (b) amended by Am. 1, 9 F.R. 795, effective 1-26-44]

(c) *Types of sales covered.* This regulation covers all sales of the listed commodities, except sales by wholesalers and retailers. "Wholesaler" and "retailer"

mean the person respectively referred to as wholesalers and retailers, in Maximum Price Regulations Nos. 421,² 422,³ and 423.⁴

(d) *Exempt sales.* The following sales are exempt from the provisions of this regulation:

- (1) Sales by growers to processors or dealers.

[Subparagraph (1) amended by Am. 3, effective 8-3-44]

- (2) Sales of "seed stock" for planting purposes;

- (3) Export sales (see Second Revised Maximum Export Price Regulation).⁵

- (4) [Deleted]

[Subparagraph (4) deleted by Am. 3, effective 8-3-44]

(e) *Geographical applicability.* This regulation applies to the 48 states of the United States and the District of Columbia.

SEC. 2. *Definitions.* (a) As used in this regulation the term:

[Paragraph deleted by Am. 3, effective 8-3-44]

"Country shipping point" means the first place where the listed commodity being priced is received from the grower and, having been split or screened, assorted, hand-picked, polished or otherwise cleaned is packed and stored in an elevator or other receiving station, or otherwise made ready for shipment from the producing area;

"Delivery" means (1) physical delivery of the goods to the buyer; (2) delivery of the goods to a carrier not owned or controlled by the seller for transmittal to the buyer; or (3) segregation and earmarking of the goods for the account of the buyer, at his request;

"Seed stock" means any of the listed commodities which are used for planting, and which comply with the Federal Seed Act or state seed acts, particularly with respect to labeling as to kind and variety, percentage of germination, and date of germination, and, if below Federal standard as set forth in the Federal Seed Act of 1939, are plainly marked "below standard."

[Above paragraph amended by Am. 3, effective 8-3-44]

"Process" means to split or screen, assort, hand-pick, polish, clean or otherwise prepare the listed commodity for shipment. In this industry the term "process" is used only in the limited sense set forth. It does not include operations such as cooking or otherwise preparing the goods for human consumption.

"Processor" means a person, other than a dealer, who owns the kind and variety (or class) of listed commodity being

priced and processes it or causes it to be processed.

"Dealer" means a person (including a growers' cooperative association engaged in the business of processing and distributing commodities produced by its members) who (1) actively engages in the business of selling the kind and variety (or class) of listed commodity being priced to destination distributors, wholesalers, canners or freezers; (2) who owns the kind and variety (or class) of listed commodity being priced which he has caused to be processed or which he has purchased from a grower who caused it to be processed; (3) is registered and has reported under section 24.2 of Revised Ration Order No. 13 issued by the Office of Price Administration, if applicable; and (4) is licensed as a dealer by the state in which he purchased the kind and variety (or class) of the listed commodities, if that state requires such licensing. A dealer who also performs any or all of the functions of a processor or a destination distributor does not thereby become a processor or a destination distributor.

"Destination distributor" means a person, other than a processor or dealer, who is located in the terminal market or marketing area at the destination of carlot or trucklot shipments and who customarily purchases from dealers for his own account the kind and variety (or class) of the listed commodity and resells to wholesalers.

"Carlot" or "trucklot" means any quantity of the listed commodity which is contained in a car or truck and which takes the carlot or trucklot rate under the applicable tariff.

"Item" means any kind, variety (or class) and grade of the listed commodity.

"Sales ex-warehouse" means sales from a warehouse (1) which is not owned or controlled by any of the seller's customers; (2) into which the seller has actually received and stored the goods, and (3) which is located in a terminal market not at a country shipping point. No sale from a transit warehouse is a "sale ex-warehouse" unless the outbound transit privileges have been cancelled as to the particular goods being sold.

"Base price" means the sum of the processor's maximum price, f. o. b. country shipping point, for the item being priced (without the 10 cent deduction named for dry edible beans produced in the State of California) plus the allowable cost of transportation (See section 5) and plus the applicable packaging allowance (See section 6).

[Above 8 paragraphs added by Am. 3, effective 8-3-44]

* Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

² 9 F.R. 5648.

³ 9 F.R. 5658.

⁴ 9 F.R. 5671.

⁵ 8 F.R. 4132, 5987, 7662, 8998, 10193; 9 F.R. 1036.

(b) Unless the context otherwise requires, the definitions contained in section 302 of the Act and § 1499.20 of the General Maximum Price Regulation shall apply to other terms used in this regulation.

ARTICLE II—PRICING PROVISIONS

Sec. 3. Maximum prices for processors.—(a) Sales f. o. b. country shipping point. The prices in the following tables are the maximum prices which processors may charge, f. o. b. country shipping point, for the listed commodities (except dry edible beans produced in California) packed in standard commercial containers. For dry edible beans produced in the State of California, the maximum price for each item is reduced by 10 cents per cwt. For goods sold in bulk or in containers supplied by the buyer, the price in each case is reduced by 15 cents per cwt.

TABLE I—CERTAIN DRY EDIBLE BEANS

Kind	Maximum price per cwt.
Peas and medium white beans (navy):	
U. S. choice hand picked.....	\$6.15
U. S. No. 1.....	6.05
U. S. No. 2.....	5.90
U. S. No. 3 and lower.....	5.65
Marrow beans (not including red marrow):	
U. S. choice hand picked.....	7.50
U. S. No. 1.....	7.40
U. S. No. 2.....	7.25
U. S. No. 3 and lower.....	7.00
Great Northern beans:	
U. S. choice hand picked.....	6.15
U. S. No. 1.....	6.05
U. S. No. 2.....	5.90
U. S. No. 3 and lower.....	5.65
Large and small white beans (including flat small white):	
U. S. choice hand picked.....	6.15
U. S. No. 1.....	6.05
U. S. No. 2.....	5.90
U. S. No. 3 and lower.....	5.65
White kidney beans:	
U. S. choice hand picked.....	8.20
U. S. No. 1.....	8.10
U. S. No. 2.....	7.95
U. S. No. 3 and lower.....	7.70
Red kidney beans:	
U. S. choice hand picked.....	6.65
U. S. No. 1.....	6.55
U. S. No. 2.....	6.40
U. S. No. 3 and lower.....	6.15
Yellow eye beans:	
U. S. choice hand picked.....	7.50
U. S. No. 1.....	7.40
U. S. No. 2.....	7.25
U. S. No. 3 and lower.....	7.00
Cranberry beans (other than western):	
U. S. choice hand picked.....	6.25
U. S. No. 1.....	6.15
U. S. No. 2.....	6.00
U. S. No. 3 and lower.....	5.75
Cranberry beans (western):	
U. S. choice hand picked.....	6.70
U. S. No. 1.....	6.60
U. S. No. 2.....	6.45
U. S. No. 3 and lower.....	6.20
Small red beans:	
U. S. choice hand picked.....	6.15
U. S. No. 1.....	6.05
U. S. No. 2.....	5.90
U. S. No. 3 and lower.....	5.65
Pink beans:	
U. S. choice hand picked.....	6.35
U. S. No. 1.....	6.25
U. S. No. 2.....	6.10
U. S. No. 3 and lower.....	5.85

¹ 9 F.R. 1385, 5169.

TABLE I—CERTAIN DRY EDIBLE BEANS—Con.

Kind	Maximum price per cwt.
Bayo beans:	
U. S. choice hand picked.....	\$5.95
U. S. No. 1.....	5.85
U. S. No. 2.....	5.70
U. S. No. 3 and lower.....	5.45
Blackeye beans (Cow peas of the black-eye variety):	
U. S. choice hand picked.....	6.30
U. S. No. 1.....	6.20
U. S. No. 2.....	6.05
U. S. No. 3 and lower.....	5.70
Pinto beans:	
U. S. No. 1.....	6.15
U. S. No. 2.....	6.00
U. S. No. 3 and lower.....	5.75
Lima beans (standard):	
U. S. extra No. 1.....	8.35
U. S. No. 1.....	8.25
U. S. No. 2 and lower.....	8.10
Baby lima beans:	
U. S. extra No. 1.....	7.05
U. S. No. 1.....	6.95
U. S. No. 2 and lower.....	6.80

The processor's maximum price to a class of purchasers for any kind and variety of dry edible beans not mentioned in the foregoing table (including, for example, Fava beans, Garbanzos or Chick peas, Brown Swedes and dry edible soybeans) shall be the highest price he charged for that item to a purchaser of the same class during the period of September 1, 1943, to November 27, 1943, inclusive. If he did not deliver or offer to deliver the item during that period to a purchaser of the same class, his maximum price for the item shall be the highest price charged for the same item during that period by the most closely competitive seller to a purchaser of the same class.

TABLE II—DRY PEAS

Kind	Maximum price per cwt.
Smooth whole green peas:	
U. S. No. 1.....	\$5.65
U. S. No. 2.....	5.40
U. S. No. 3 and lower.....	5.05
Smooth whole white peas:	
U. S. No. 1.....	5.65
U. S. No. 2.....	5.40
U. S. No. 3 and lower.....	5.05
Green split peas:	
U. S. No. 1.....	7.35
U. S. No. 2.....	7.05
U. S. No. 3 and lower (including "chips", "quarters" and "steel-cuts").....	6.50
Yellow split peas:	
U. S. No. 1.....	7.35
U. S. No. 2.....	7.05
U. S. No. 3 and lower (including "chips", "quarters" and "steel-cuts").....	6.50

(b) **Delivered sales.** (1) For sales on a delivered basis, the processor's maximum price in each case is the maximum price, f.o.b. country shipping point, for the item plus the cost of transportation.

(2) For sales by a processor delivered from the farm or country shipping point in his own truck to ultimate consumers or to retail stores where sales are made to ultimate consumers, the maximum price in each case is the delivered price for the item plus 30 cents per cwt. However, for any sale to one purchaser in a quantity of more than 1000 pounds

of a listed commodity, the maximum price is the delivered price only.

"Ultimate consumer" means a person who buys for direct consumption, but the term does not include agencies of the United States or commercial, industrial or institutional users such as canners, hotels, restaurants, etc.

(c) **Sales to the United States or certain other purchasers.** For sales of those varieties of dry edible beans or peas designated in Commodity Credit Corporation Instructions of June 30, 1943,² or for which "support prices" are announced by the War Food Administration, made by processors to dealers, to "authorized purchasers" or to other agencies designated in the War Food Order No. 45, as amended, the maximum price in each case is either (1) the "support price" for the item plus the cost of transportation, plus any applicable packaging allowance, and plus storage or carrying charges permitted by section 8 (a) of this regulation, but without other markups, or (2) the maximum price for the item otherwise established by this regulation, whichever is higher.

Exception: In sales of dry edible beans produced in the state of California made to dealers, 10 cents per cwt. shall be deducted from the "support price" for the item in figuring the price under (1) above.

[Sec. 3 amended by Am. 1, 9 F.R. 795, effective 1-26-44 and Am. 3, effective 8-3-44]

SEC. 4. Maximum prices for all other sales.—(a) Explanation and prohibition against sharing of markups. This section establishes maximum prices for all sales of the listed commodities except those covered by sections 3 and 7. No seller shall share in or receive any part of the markup established by this regulation for another type of seller.

(b) **Sales by dealers to the United States or certain other purchasers.** For sales of those varieties of dry edible beans or peas designated in Commodity Credit Corporation Instructions of June 30, 1943, or for which "support prices" are announced by the War Food Administration, which are made by dealers to other dealers, to agencies of the United States, to "authorized purchasers" or to other agencies designated in War Food Order No. 45, as amended, the maximum price in each case is either (1) the "support price" for the item, plus the cost of transportation, plus any applicable packaging allowance, and plus storage or carrying charges permitted by section 8 (a) of this regulation, but without other markups, or (2) the maximum price for

² 8 F.R. 8098.

the item otherwise established by this regulation, whichever is higher.

Exception: In figuring the price under (1) above, for sales of dry edible beans, the dealer may add 10 cents per cwt. to the support price for the item if he is located in Michigan, or 15 cents per cwt. if he is located elsewhere, in any of the following cases: (1) In sales to another dealer; (2) In sales of goods which have been "set aside" pursuant to War Food Order No. 45, as amended; (3) In sales of goods which have been specifically ordered by any of the persons mentioned in paragraph (b) of this section.

In all such sales to dealers, the seller and buyer shall exchange and retain records showing their respective names and addresses, the varieties, quality and crop-year designation of the item sold, the selling price; and their respective registration numbers issued by the Food Rationing Division of the Office of Price Administration.

(c) All other sales by dealers. With respect to dry edible beans the dealer's maximum price for all other sales is the base price plus 10¢ per cwt. if he is located in Michigan or plus 15¢ per cwt. if he is located elsewhere, and plus 15¢ per cwt. for sales ex-warehouse in any quantity. With respect to dry peas the dealer's maximum price for all other sales is the base price only, plus 15¢ per cwt. for sales ex-warehouse in any quantity. In any sale of dry edible beans or dry peas by a dealer to a wholesaler made through a broker located in the terminal market or marketing area at the destination of carload or truckload shipments, the dealer may also add 10¢ per cwt. or the amount of the broker's maximum charge under Maximum Price Regulation 165, whichever is lower:

(d) Sales by destination distributors. A destination distributor's maximum price in each case is his supplier's maximum price for the item (not to exceed a dealer's maximum price for sales other than sales ex-warehouse) plus 25¢ per cwt. for sales ex-warehouse in any quantity, or plus 10¢ per cwt. for all other sales, including sales of carlots or trucklots and sales ex-car.

(e) Special provisions for sales ex-warehouse in New York City. In the case of sales ex-warehouse made by a dealer or destination distributor from a warehouse located in New York City to which the particular goods being sold were hauled from a railroad terminal, the seller may add the actual cost of such hauling not to exceed 15 cents per cwt.

(f) All sales not otherwise provided for. For all sales not otherwise provided for in this regulation the maximum price

in each case is the supplier's maximum price plus incoming freight.

[Sec. 4 amended by Am. 8, effective 8-3-44]

Sec. 5. Cost of transportation. The cost of transportation which shall be added to the f. o. b. country shipping point price in arriving at the "base price" shall be determined as follows:

(a) If shipment is by a common carrier whose maximum rates and charges are regulated by the Interstate Commerce Commission or other Federal or State regulatory body, the cost of transportation which shall be added is the amount actually paid to the carrier in conformity with its lawfully established rates or charges, including the transportation tax imposed by any applicable revenue act.

If a car is stopped in transit to complete loading, 5 cents per cwt. may be added to the cost of transportation, and 5 cents per cwt. may also be added to the cost of transportation if a car is stopped in transit for partial unloading. The carrier's charges for each such stop may also be added, but charges for demurrage, out-of-line hauling, or back-haul may not be added.

If the goods are assorted in transit in compliance with the provisions of L. E. Kipp's I. C. C. No. A 3481 "Transit Rules and Regulations on Dried Beans, Dried Lentils or Dried Peas, Carlots", or such other tariff as may be applicable to the transit privileges, and the goods are actually warehoused, the carriers' charges for extending the transit privilege, together with 15 cents per cwt., may be added to the cost of transportation. This addition shall not be made on out-bound carlots which contain more than 75 per cent of any one variety (or class) of the particular goods nor on any portion of the shipment on which "transit" is not used.

The allowances for stopping in transit to complete loading, for partial unloading and for assorting in transit are cumulative but not more than one of each of such allowances may be added regardless of the number of times the car is stopped or is assorted in transit.

[Paragraph (a) amended by Am. 3, effective 8-3-44]

(b) If shipment is by a carrier for hire other than a common carrier (such as a contract carrier) the cost of transportation which shall be added is the amount actually paid to the carrier, but not in excess of the maximum charges as determined by the General Maximum Price Regulation, amendments and supplementary regulations thereto, or such other regulations of the Office of Price Administration as may be applicable to

the services of the carrier at the time of movement. Charges for accessorial services equivalent to rail services allowable under paragraph (a), above, shall be included if such services are actually performed. The amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(c) If shipment is by a means of transportation not included in (a) and (b) above (such as an unregulated common carrier or a private carrier), the cost of transportation which shall be added is the amount actually paid for transportation, but not in excess of an amount figured by applying to the actual weight of the shipment the lowest published rail carload rate between the rail stations nearest to the points of origin and destination and adding rail charges for the accessorial services allowed under paragraph (a) above, if equivalent services are performed. If the shipment is less than 20,000 pounds, an additional charge of 2 cents per 100 pounds may be made, provided that the total charge for shipment of less than 20,000 pounds shall not exceed the charge for a shipment of 20,000 pounds. In applying rail accessorial charges which are stated in amounts per car, the per-car charge may be made against a shipment of 20,000 pounds or more moving in a single conveyance, but only the proportion of such per-car charge which the weight of the shipment bears to 20,000 pounds may be made against a shipment of less than 20,000 pounds. The amount of transportation tax imposed by section 620 of the Revenue Act of 1942 may be included, if the shipment is subject to that tax.

Sec. 6. Packaging allowances. (a) For listed commodities packed in the following size containers, the following amounts shall be included in the seller's maximum price:

	Per cwt.
Up to and including 1 lb.	\$2.05
Over 1 lb. up to and including 2 lbs.	1.65
Over 2 lbs. up to and including 3 lbs.	1.35
Over 3 lbs. up to and including 5 lbs.	1.10
Over 5 lbs. up to and including 10 lbs.	.59
Over 10 lbs. up to and including 25 lbs.	.49
Over 25 lbs. up to and including 50 lbs.	.20
Over 50 lbs.	Nothing

Each amount includes all allowances for outside or extra containers.

(b) In sales to agencies of the United States where containers other than standard commercial containers are specified by the buyer, the packaging allowance is the sum of the cost of the materials and labor required plus 8 cents per cwt.

[Sec. 6 amended by Am. 2, 9 F.R. 1325, effective 1-31-44 and Am. 3, effective 8-3-44]

Sec. 7. Imported dry food commodities. The maximum price, f. o. b. port of entry, for an item imported from any country shall be the maximum price under section 3 (a) of this regulation for the most closely similar domestic item

plus an amount equal to the lowest railroad freight rate from the closest country shipping point, from which domestic item is normally shipped, to the port of entry. Applicable packaging allowances and cost of transportation may be added. The total price so figured shall also be the base price for the item.

[Sec. 7 amended by Am. 3, effective 8-3-44]

SEC. 8. Miscellaneous provisions affecting prices—(a) Storage. In the case of sales to any agency of the United States, including those sales mentioned in sections 3 (c) and 4 (b), charges for storage furnished by the seller may be added in any case where a delay is occasioned by the buyer's failure to furnish adequate shipping instructions within a time reasonably sufficient to permit shipment on the appointed day named in the contract of sale. In such cases, charges may be added by the seller to the maximum prices at the rate of $\frac{1}{6}$ of one cent per cwt. for each day's delay in shipment, beginning with the 31st day after the date of sale or the delivery date or end of the period specified in the contract of sale, whichever is later.

[Paragraph (a) amended by Am. 3, effective 8-3-44]

(b) Position of brokers. In accordance with existing trade customs, every broker shall be deemed to be the agent of the seller, and not of the buyer. In each case, any amount paid by the buyer to the broker, plus the amount paid by the buyer to the seller shall not exceed the seller's maximum price plus allowable transportation paid by the broker or the seller. The term "broker" includes a "finder".

However, this rule does not apply to the "country buyer" in California, who is the agent of the dealer. His compensation may be paid by the dealer, but the amount shall not be added to the dealer's maximum price.

[Above paragraph added by Am. 3, effective 8-3-44]

(c) Fractions of cents. If any maximum price figured under this regulation includes a fraction of a cent, the seller shall adjust the price to the nearest fractional unit (like 1 cent, $\frac{1}{2}$ cent, $\frac{1}{4}$ cent, etc.) in which he has customarily quoted prices for the item.

(d) Basing point prices. Any dealer may sell the listed commodities on a basing point basis, but if he does, he must sell all the commodities handled by him on that basis, and no such price shall be in excess of the maximum price otherwise established by this regulation.

[Paragraph (d) amended by Am. 3, effective 8-3-44]

(e) Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action to be

taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having the authority to act on such request for change in price, or to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

ARTICLE III—GENERAL PROVISIONS

SEC. 9. Applicability of certain provisions of the General Maximum Price Regulation. The following provisions of the General Maximum Price Regulation apply to the listed commodities and sellers covered by this regulation:

- (a) Transfers of business or stock in trade (\$1499.5).
- (b) Federal and State taxes (\$1499.7).
- (c) Current records (\$1499.12).
- (d) Sales slips and receipts (\$1499.14).

SEC. 10. Statements to be made on invoices. In every sale of a listed commodity, the seller shall state on the invoice or other document evidencing the sale, the kind and variety of the listed commodity being sold and its official United States grade, as established by the United States Department of Agriculture. If the state in which the sale is made requires, the appropriate state grade may also be stated. This information may also be set forth on the container, or on a tag or label attached to the container.

SEC. 11. Notification of change in maximum prices. This regulation will have the effect of altering some sellers' maximum prices for the listed commodities. Those sellers and all sellers whose maximum prices for any item are altered by this regulation or any amendment must comply with the provisions of this section. In each case when a seller's maximum price for an item has been changed pursuant to this regulation or any amendment he shall give notice of such change with the first shipment or delivery of the item after the change in price becomes effective, in the following manner. He shall:

- (a) Supply each wholesaler and retailer who purchases from him with a written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe the item by the appropriate kind, grade, variety brand, quantity, container type and size, etc.) has been changed by the OPA.

We are authorized to inform you that if you are a wholesaler or retailer pricing this item under MPRs 421, 422 and 423, you must refigure your ceiling price for this item on the first delivery of it to you containing this notification on or after (insert here effective date of price change). You must refigure your ceiling price following the rules of section 6 of MPRs 421, 422, or 423 whichever is applicable to you.

For a period of 60 days after the price change becomes effective, and with the first shipment or delivery of the item after that date, to each such purchaser who has not made a purchase of the item within that time, the seller shall include the notice set forth above in each case or carton containing the item or securely attach it to the case or carton or insert it on the invoice accompanying the shipment.

(b) Notify each purchaser who is a distributor other than a wholesaler or retailer of the change in price by a written notice attached to or written on the invoice issued in connection with the first transaction with such purchaser after such price which becomes effective as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (Describe item by kind, brand, grade, variety and container type and size) has been changed from 8 to 8. Under the provisions of 2nd Rev. MPR 270 you are required to notify all wholesalers and retailers purchasing the item from you after (insert effective date of price change) of any change in your maximum price. This notice must be made in a manner prescribed in section 11 (a) of 2nd Rev. MPR 270.

SEC. 12. Records which sellers must keep. As long as the Emergency Price Control Act of 1942, as amended, remains in effect, every seller covered by this regulation shall keep for examination by the Office of Price Administration, (a) records of the same kind as he has customarily kept relating to prices which he charged after the effective date of this regulation; (b) those records required to be kept by section 4 (b); (c) record of all sales of "seed stock" as defined in section 2 (a), which shall show in each case the date of sale, the amount, kind and variety sold, the sales price for each item, and the name and address of the purchaser; and (d) a statement (which he must prepare within sixty days after the effective date of this regulation) showing all of his customary allowances, discounts and other price differentials. This statement shall be available for examination by any person during ordinary business hours. However, any person who claims that he will be substantially injured by showing this statement to another person may file it with the appropriate field office of the Office of Price Administration. The information will not be divulged to anyone unless withholding it will be contrary to the purposes of the regulation.

[Sec. 12 amended by Am. 3 effective 8-3-44]

SEC. 18. Compliance with this regulation—(a) No selling or buying above maximum prices. On and after the effective date of this regulation, regardless of any contract or obligation, no person shall sell or deliver, or buy or receive in the course of trade or business any of the listed items at prices higher

than the maximum prices established by this regulation. However, prices lower than the maximum prices may be charged and paid.

[Paragraph (a) amended by Am. 3, effective 8-3-44]

(b) *Evasion.* No person shall evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying-agreement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling or packaging; or in any other way.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

[NOTE: Revised Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

(d) *Licensing.* The provisions of Licensing Order No. 1⁹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 14. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1¹⁹ and amendments.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase

requiring the approval of the National War Labor Board.]

This regulation shall become effective November 27, 1943. [2d RMPR 270 originally issued November 27, 1943.]

[Effective dates of amendments are shown in notes following parts affected.]

[NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.]

Issued this 29th day of July 1944.

CHESTER BOWLES,
Administrator.

Approved:

ASHLEY SELLERS,
Acting War Food Administrator.

[F. R. Doc. 44-11347; Filed, July 29, 1944;
11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31¹,
Amdt. 21]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, items 5, 12, 19, 23, 24, 32, 38, 41, and 76 are amended and items 96, 97, 98, 99, 100, 101, 102, and 103 are added to read as follows:

(5) Colorado, Colorado, That portion of the State of Colorado not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Chaffee, Garfield, and Mesa.

(12) Kansas, Kansas, That portion of the State of Kansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Barton, Ellis, Finney, Ford, Gray, Russell, Pratt, and Reno.

(19) Minnesota, Minnesota, That portion of the State of Minnesota not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the County of Olmsted.

(23) Nebraska, Nebraska, That portion of the State of Nebraska not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Adams, Buffalo, Clay, Dakota, Fillmore, Jefferson, Red Willow, Thayer, and York.

(24) Nevada, Nevada, That portion of the State of Nevada not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except that portion of Elko County situated within a radius of three miles from the center of United

States Highway 40, where the said highway crosses the Nevada-Utah State line, and those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.

(32) Oklahoma, Oklahoma, That portion of the State of Oklahoma not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Beckham, Canadian, Custer, Jackson, Pottawatomie, Tillman, and Washita.

(33) Texas, Texas, That portion of the State of Texas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Bee, Brazos, Brewster, Collin, Denton, Kinney, Kleberg, Lampasas, McCulloch, Nolan, Smith, Uvalde, Val Verde, and Webb, and Justices' Precincts 1, 6, and 7 in the County of Caldwell.

(41) Virginia, Virginia, that portion of the State of Virginia not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Northampton and Warren.

(76) Great Bend, Kansas, Counties of Barton, Ellis, and Russell.

(96) Grand Junction, Colorado, County of Mesa.

(97) Rochester, Minnesota, County of Olmsted.

(98) Springfield, Missouri, County of Greene.

(99) Fairbury-York, Nebraska, Counties of Fillmore, Jefferson, Thayer, and York.

(100) Goldfield-Tonopah, Nevada, those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.

(101) Shawnee, Oklahoma, County of Pottawatomie.

(102) McKinney, Texas, County of Collin.

(103) Front Royal, Virginia, County of Warren.

This amendment shall become effective August 1, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11359; Filed, July 29, 1944;
11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,¹ Amdt. 26]

DESIGNATION OF AREAS

Item 116a (Great Bend) of Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended and items 44a, 160a, 173a, 176a, 183a, 212c, 250a, 324b, 324c, and 341a, are added to read as follows:

¹⁹ F.R. 2165, 3231, 3421, 4194, 4541, 5002, 5300, 5328, 5915, 6563, 7329.

⁹ 8 F.R. 13240.

¹⁹ 9 F.R. 5791.

¹⁹ 9 F.R. 5823, 5915, 7329.

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(44a) Grand Junction	Colorado	Mesa	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(116a) Great Bend	Kansas	Barton	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas	Ellis and Russell	Mar. 1, 1943	Aug. 1, 1944	Mar. 15, 1944
(160a) Rochester	Minnesota	Olmsted	Mar. 1, 1944	Aug. 1, 1944	Sept. 15, 1944
(173a) Springfield, Mo.	Missouri	Greene	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(176a) Fairbury-York	Nebraska	Fillmore, Jefferson, Thayer, and York	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(183a) Goldfield-Tonopah	Nevada	These portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(212c) Charlotte	North Carolina	Mecklenburg	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(230a) Shawnee	Oklahoma	Pottawatomie	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324b) McKinney	Texas	Collin	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324c) Midland-Odessa	Texas	Ector and Midland	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(341a) Front Royal	Virginia	Warren	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944

This amendment shall become effective August 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11348; Filed, July 29, 1944; 11:44 a. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Housing, Amdt. 30]

DESIGNATION OF AREAS

Item 116a (Great Bend) of Schedule A of the Rent Regulation for Housing is amended and items 44a, 160a, 173a, 176a, 183a, 212c, 250a, 324b, 324c, and 341a are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of Regulation	Date by which Registration Statement to be filed (Inclusive)
(44a) Grand Junction.....	Colorado.....	Mesa.....	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(116a) Great Bend.....	Kansas.....	Barton.....	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas.....	Ellis and Russell.....	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(160a) Rochester.....	Minnesota.....	Olmsted.....	Mar. 1, 1944	Aug. 1, 1944	Sept. 15, 1944
(173a) Springfield, Missouri.....	Missouri.....	Greene.....	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(176a) Fairbury-York.....	Nebraska.....	Fillmore, Jefferson, Thayer, and York.....	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(183a) Goldfield-Tonopah.....	Nevada.....	Those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(212c) Charlotte.....	North Carolina.....	Mecklenburg.....	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(250a) Shawnee.....	Oklahoma.....	Pottawatomie.....	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324b) McKinney.....	Texas.....	Collin.....	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324c) Midland-Odessa.....	Texas.....	Ector and Midland.....	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(341a) Front Royal.....	Virginia.....	Warren.....	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944

This amendment shall become effective August 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11349; Filed, July 29, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3, Amdt. 37]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.78 is added to read as follows:

§ 1407.78 *Adjustment for lost, damaged, destroyed, or stolen sugar*—(a) *How to apply.* A consumer whose sugar was lost, damaged, destroyed or stolen, or was taken away by legal process or order of a court, may apply for a certificate in an amount needed to replace such sugar. However, a consumer may apply for a certificate to replace such sugar only if he has given up valid evidences to acquire the sugar which is lost, damaged, destroyed, stolen or taken away. The application must be made on OPA Form R-315 to the Board for the place where he lives. The application must state:

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5807, 5915, 6359, 6569, 6819, 7329.

² 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5166, 5426, 5346.

(1) The amount of sugar he wishes to replace;

(2) The way in which the sugar was lost, damaged, destroyed, stolen or taken away; and

(3) That he gave up valid evidences for the sugar which was lost, damaged, destroyed, stolen, or taken away.

(b) *Action on application.* If the Board finds the statement made in the application to be true, it will issue to him a certificate in the amount needed to replace the sugar.

(c) *Recovery of lost or stolen sugar or sugar that was taken away.* If the applicant gets back any of the sugar covered by his application, he must give up to the Board, for cancellation, evidences equal in weight value to the amount of sugar he recovers.

This amendment shall become effective August 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 29th day of July 1944:

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11338; Filed, July 29, 1944; 11:41 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 24 to 2d Rev. Supp. 1]

PROCESSED FOODS

The Official Table of Point Values (No. 17), referred to in § 1407.1102 (a), is

³ 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6455, 6151, 7344, 7423, 7433.

amended by deleting the words "thru July 29, 1944" from the bracket in the upper right corner.

This amendment shall become effective July 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11351; Filed, July 29, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 6 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 16), referred to in § 1407.3027 (a) is amended by deleting the words "thru July 29," from the bracket in the upper right corner.

2. The Official Table of Consumer Point Values for Kosher Meats (No. 16), referred to in § 1407.3027 (a), is amended by deleting the words "through July 29," from the bracket in the upper right corner.

This amendment shall become effective July 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R.

⁴ 9 F.R. 6772, 6825, 7262, 7433, 8147.

4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11352; Filed, July 29, 1944;
11:43 a. m.]

PART 1424—IMPORTED AND PACKAGED FOODS

[MPR 231,¹ Corr. to Amdt. 3]

RAW SPICES AND SPICE SEEDS

Amendment No. 3 to Maximum Price Regulation 231 is corrected in the following respect:

Section 1425.5 (c) is corrected to read § 1424.5 (c).

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11339; Filed, July 29, 1944;
11:40 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-10]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN ARKANSAS DISTRICT

Restaurant Maximum Price Regulation No. 5-10 is redesignated as Revised Restaurant Maximum Price Regulation No. 5-10, and is revised and amended to read as follows:

In the judgment of the Arkansas District Director the prices of food and beverages sold for immediate consumption in the State of Arkansas have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Arkansas District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the Arkansas District Director gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living," 77th Congress, second session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price

Control Act of 1942, the Arkansas District Director hereby issues this Revised Restaurant Maximum Price Regulation No. 5-10, establishing as maximum prices for food and drink sold for immediate consumption in the State of Arkansas the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.410 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the Arkansas District Director by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, and Region V Delegation of Authority No. 48 and other authority, Revised Restaurant Maximum Price Regulation No. 5-10, (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made a part hereof, is issued.

AUTHORITY § 1448.410 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631; General Order No. 50, 8 F.R. 4803.

REVISED RESTAURANT MAXIMUM PRICE REGULATION NO. 5-10—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

Sec.

1. Sales at higher than ceiling prices prohibited.
2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.
3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.
4. How you figure your prices for seasonal items.
5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
6. Substitution of food items in meals.
7. Prohibition against manipulation of meal offerings.
8. Evasion.
9. Rules for new proprietors.
10. Seasonal eating and drinking places.
11. Taxes.
12. Records.
13. Posting.
14. Operation of several places.
15. Relation to other maximum price regulations.
16. Geographical application.
17. Enforcement.
18. Exempt sales.
19. Adjustments.
20. Definitions and explanations.
21. Classes of food items and meals.
22. Special orders.
23. Licensing.
24. Revocation and amendment.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage, except those domestic malt beverages covered by Order No. G-1 under General Order No. 50) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may,

of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure your prices for seasonal items.* First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price is based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the*

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 7844, 9130.

highest ceiling price for a food item or meal of the same class in the base period. Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21 (a), Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 10 cents, you may not offer any other soup at a higher price than 10 cents.

Example 2. You served sirloin steak in March at \$1.00. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.00.

Sec. 6. Substitution of food items in meals. If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

Sec. 7. Prohibition against manipulation of meal offerings. You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example. If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 35¢, and one each at 50¢, 75¢, 90¢, and \$1.00, you must continue to offer two week-day dinners at 35¢. Note that Sunday meals and week-day meals are meals of a different class.

Sec. 5. Evasion. (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Reducing the selection of meals offered at table d'hôte prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hôte price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hôte dinners at 75¢, you may not now offer fish a la carte and refuse to offer it on a table d'hôte dinner priced at 75¢.

Example 2. If you offered table d'hôte dinners during the base period at 65¢ to \$1.05 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 45¢ to 85¢, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catsup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful, except that less may be given if required by your available supply. You may not, however, make the curtail-

ment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

Sec. 9. Rules for new proprietors. (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the District Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the District Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

Sec. 10. Seasonal eating and drinking places—(a) Exempt places. If you are the proprietor of a seasonal eating or drinking place that

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 per cent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50 and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the administrator will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) and (2) above, you must apply for a price to the OPA District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

- (i) Your name and address.
- (ii) A brief description of your business and the manner of operation.
- (iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.
- (iv) The date when you plan to commence operations.
- (v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

Sec. 11. Taxes. If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

Sec. 12. Records. (a) You must observe all the record keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by

you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same item or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for these places at a central office or the principal place of business within the city.

Sec. 13. Posting. (a) Beginning July 8, 1943, in Pulaski County and beginning October 18, 1943, in the remainder of the State of Arkansas, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration regulation, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) Cafeterias must post the selling prices for all items at or near the place where the item is offered for sale.

(d) In addition to the requirements in (a), (b), and (c), you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

Sec. 14. Operation of several places. If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

Sec. 15. Relation to other maximum price regulations. The provisions of this regulation shall supersede other regulations, including Restaurant Maximum Price Regulation 5-10 and the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, in so far as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation to the extent that it exceeded the maximum price established by another regulation applicable at that time nor to the extent it exceeded a price established by Order No. G-1 under General Order No. 50 (Dollars and Cents Ceiling Prices on Domestic Malt Beverages).

Sec. 16. Geographical application. This Revised Restaurant Maximum Price Regulation No. 5-10 applies to all of the State of Arkansas.

Sec. 17. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 18. Exempt sales. Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a nonprofit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this paragraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy or any other part of the Armed Forces of the United States shall be considered students.

(e) Eating cooperatives formed by Officers in the Armed Forces (as for example, Officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to persons who are members of the cooperative.

(f) Bona fide private clubs which file with the appropriate OPA District Office a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than a merely nominal amount and are elected to membership by a governing board, membership committee or other body; and

(4) It is otherwise operated as a club.

Five days after filing such information or earlier if so notified by the District Director, a private club may consider itself exempt unless and until it is otherwise notified by the District Director.

Sec. 19. Adjustments. (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all

restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfied the requirements specified above, you may file an application for adjustment with the Arkansas District Office of the Office of Price Administration. This application must be filed in duplicate and contain a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,¹ and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) Profit and loss statements for your restaurant business for the most recent three month accounting period, the same three month accounting period for the year 1942 and the entire year 1942, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the Arkansas District Office.

Applications for adjustment under this section will be acted upon by the Arkansas District Office.

SEC. 20. Definitions and explanations.

(a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverage, except those domestic malt beverages covered by Order No. G-1 under General Order No. 50) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage, except those domestic malt beverages by Order No. G-1 under General Order No. 50) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year.

Examples are certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20).

(a) The classes of food items.

BREAKFAST ITEMS

1. Fruits, juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Bread, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes, including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef: steaks and roasts.
11. Veals: steaks, chops and roasts.
12. Pork: loin, chops, steaks, roasts.
13. Lamb or mutton: chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetables platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries, and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
- 24a. Desserts: seasonal dessert specialties such as watermelon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.

26. Cold sandwiches, including garnishings, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters.
31. Alcoholic malt beverages, including beer and ale except those items covered by Order No. G-1 under General Order No. 50, which remain subject to its provisions.
32. Wines, including sparkling wines.
33. Liquors, including whiskeys, gins, and brandies.
34. Cordials, including fruit liqueurs.
35. All other alcoholic beverages.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner, and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

(c) *Legal holidays.* Your ceiling prices for food items or meals served on those days designated legal holidays by Federal law may be the same as your Sunday ceiling prices for such establishments.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Arkansas District Director, such action is necessary or desirable to prevent inflation, stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328.

SEC. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the Arkansas District Director.

This regulation shall become effective April 17, 1944.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

¹ In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

(Pub. Law 151, 78th Congress, E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued at Little Rock, Arkansas, this 15th day of April 1944.

ROBERT P. HALL,
District Director.

[F. R. Doc. 44-11353; Filed, July 29, 1944;
11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 15 to GMPR, Amdt. 31]

CHEMICALS AND DRUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.75 (a) (18) is added to read as follows:

(18) *Chemicals and drugs.* Any manufacturer of a commodity under the jurisdiction of the Chemicals and Drugs Price Branch, Office of Price Administration, including, but not limited to, products of the type listed in subdivision (iv) hereof, may apply for an adjustment of his maximum prices established under and presently subject to the General Maximum Price Regulation, if it can be shown that the conditions prescribed in subdivision (i) hereof exist. Applications shall be made on OPA Form No. 692-992 and shall contain the information specified therein. Copies of this form may be obtained from the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C.

(i) *Circumstances under which an application will be considered:*

(a) The factory cost involved in the production of said commodity has increased so substantially since applicant's maximum price therefor was established that he cannot continue to produce and sell the product at such price. (As used in this § 1499.75 (a) (18), "factory cost" means and includes materials, labor and other manufacturing costs assignable to the production of the commodity.)

(b) There is no adequate alternative to the requested price adjustment, such as a reduction in operating costs; and

(c) Either that:

(1) The loss of applicant's production would force his customers to resort to higher priced sources of supply; or

(2) The War Production Board (or other governmental agency in charge of supply) has issued an order or other appropriate instrument requiring applicant to produce stated quantities of said commodity; or

(3) The Office of Price Administration has received from the War Production Board (or other governmental agency in charge of supply) certification that the supply of the commodity is or threatens to become inadequate for the war program or for civilian needs, but that for reasons stated therein:

(i) The commodity or local supply situation is of such minor importance, in

relation to the other commodities or to the use of manpower and materials, as not to require use of production controls; or

(ii) Legal or technical reasons make it impracticable to use orders or other appropriate instruments requiring production of the necessary supply.

(ii) *Amount of adjustment.* No adjustment will be made under this section unless the Price Administrator finds that a price increase is necessary to aid in securing essential or low-priced supply. Furthermore, any such adjustment shall be limited as set forth below: (As used below "over-all profits" means over-all aggregate dollar profit, adjusted for changes in investment and before deduction of income and excess profits taxes, of applicant or, in the event applicant is a parent, subsidiary or affiliate of other corporations or business units, of the entire investment enterprise.)

(a) *Primary limitations.* Ordinarily adjustments made under this section shall in the first instance be limited to:

(1) An amount sufficient to make the adjusted price per unit equal to factory cost per unit where applicant's current over-all profits on an annual basis are favorable as judged by his own or the industry's historical experience.

(2) An amount sufficient to make the adjusted price per unit equal to factory costs per unit, plus general administrative and selling expenses per unit, where applicant's current over-all profits on an annual basis are normal as judged by his own or the industry's historical experience. However, the increase shall not ordinarily exceed an amount which will cause his current over-all profits on an annual basis to be more than normal as judged by his own or the industry's historical experience.

(3) An amount sufficient to make the adjusted price per unit equal to total cost per unit, plus an adequate margin of profit per unit, where applicant's current over-all profits on an annual basis are unfavorable as judged by his own or the industry's historical experience. However, the increase shall not ordinarily exceed an amount which will cause his current over-all profits on an annual basis to be more than normal as judged by his own or the industry's historical experience.

(b) *Special limitation in case of low-priced seller.* Any adjustment granted an applicant who seeks relief under subdivision (i) (c) (1) of this section on the ground that the loss of his production would force his customers to resort to higher priced sources of supply, shall not exceed the amount set out in subdivision (ii) (a) hereof and shall be further limited to an amount equal to the difference between applicant's maximum price and the selling price of the next higher competitive seller able to supply applicant's customers.

(c) *General limitation.* Notwithstanding limitations on the amount of adjustment listed in subdivisions (a) and (b) above, in no event shall any adjustment granted under this section exceed the difference between the factory cost

of the commodity currently and at the time its maximum price was established.

(iii) *Orders issued under this section.* The Price Administrator may authorize or deny by order the maximum prices requested or any modification thereof, and may also adjust the maximum prices of resellers, processors and industrial users. He may require, in appropriate cases, a compensatory decrease in the maximum prices for another product or products manufactured by applicant.

Any order issued hereunder may be amended or revoked at any time.

(iv) *Commodities subject to the provisions of this section.*

NOTE: This section applies only, of course, to such of the following commodities as are subject to the General Maximum Price Regulation. Sellers of commodities subject to other price regulations should consult the latter to determine possibilities for adjustment of their maximum prices.

- (a) Coal tar and coal tar derivatives.
- (b) Heavy chemicals.
- (c) Industrial paints and other industrial protective coatings.
- (d) Resins and plastics.
- (e) Soaps and cleansers.
- (f) Miscellaneous chemicals, drugs, and cosmetics.

This amendment shall become effective August 3, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11341; Filed, July 29, 1944;
11:41 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 477¹ incl. Amdts. 1-7]

SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES²

This compilation of Maximum Price Regulation 477 includes Amendment 7, effective August 3, 1944. The text amended (except tables) by Amendment 7 is underscored. The tables amended are indicated by rates.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

In so far as this regulation uses specifications and standards which were not prior to such use, in general use in the trade or industry affected, or in so far as their use was not lawfully required by another government agency, the Price Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith

¹ 8 F.R. 14004.

² Title amended by Am. 2.

*Copies may be obtained from the Office of Price Administration.

and filed with the Division of the Federal Register.³

§ 1315.1602 *Maximum prices for sales of rubber heels and soles in the shoe factory and home replacement trades.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 477 (Sales of Rubber Heels and Soles in the Shoe Factory and Home Replacement Trades) which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION 477—SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES

ARTICLE I—SCOPE AND PROHIBITIONS

Sec.

1. What this regulation does.
2. Where this regulation applies.
3. Relation to other regulations.
4. Prohibition against dealing in heels and soles at prices above the maximum.
5. Less than maximum prices.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

Sec.

6. Maximum prices for sales in the shoe factory trade of heels and soles listed in Appendix A.
7. Maximum manufacturers' prices for sales in the shoe factory trade of heels and soles not listed in Appendix A.
8. Maximum prices for sales in the shoe factory trade of heels and soles not listed in Appendix A, by persons other than manufacturers.
9. Maximum prices for sales in the shoe factory trade of heels and soles that cannot be priced under sections 6, 7 and 8.
- 9a. Maximum prices for sales of heels and soles in the home replacement trade.
10. Federal and state taxes.
11. Terms and conditions of sale.
12. Fractions of a cent.
13. Transfers of business or stock in trade.

ARTICLE III—MISCELLANEOUS

14. Petitions for amendment.
15. Adjustable pricing.
16. Records.
17. Reports.
18. Notification by manufacturers.
19. Licensing.
20. Evasion.
21. Enforcement.
22. Definitions.

Appendix A

Appendix B

AUTHORITY: § 1315.1602 issued under 58 Stat. 23, 785; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

SECTION 1. What this regulation does. This regulation fixes maximum prices for all sales in the shoe factory and home replacement trades of heels and soles made in whole or in part of rubber. However, this regulation does not apply to heels or soles made primarily from paper, wood, rope, or whole fabrics. This regulation does apply to heels or soles made in part from cord, fabrics (other

than whole fabrics), or other fibers, and in part of rubber. When used in this regulation, the term:

[Above paragraph amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(a) "Heel" includes all heels, heel bases, toplifts, and toplifting sheets, strips and blocks.

(b) "Sole" includes all taps, full soles, midsoles, and outsoles and midsoles sheets, strips and blocks.

(c) "Sale in the shoe factory trade" means a sale or offer for sale of heels or soles made in whole or in part of rubber (1) to persons who use those heels or soles in the manufacture of civilian (non-military) shoes, or (2) to persons who sell the heels or soles purchased by them to persons who use those heels or soles in the manufacture of civilian (non-military) shoes.

(d) "Sale in the home replacement trade" means any sale or offer for sale, except one in the shoe repair trade, of heels or soles made in whole or in part of rubber, which are used for the repair of civilian (non-military) shoes. A "sale in the shoe repair trade" is a sale or offer for sale by or to a shoe repairman, by wholesalers to the persons who sell rubber heels or soles to a shoe repairman, or by manufacturers to any of the persons just named.

[Paragraph (d) added by Am. 2, 9 F.R. 89, effective 1-7-44]

SEC. 2. Where this regulation applies. The provisions of this regulation shall apply to the forty-eight states of the United States and to the District of Columbia.

SEC. 3. Relation to other regulations—(a) *Regulations superseded.* Except as otherwise provided in this regulation, this regulation supersedes the General Maximum Price Regulation⁴ and any other regulation issued by the Office of Price Administration with respect to sales, deliveries or transfers covered by this regulation.

(b) *Export sales.* The maximum price at which a person may make any export sales or sales to exporters in the shoe factory trade of heels and soles shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation⁵ or any revisions thereto. When used in this paragraph the terms "export sale" and "exporter" have the meanings given to them by section 11 of the Second Revised Maximum Export Price Regulation.

SEC. 4. Prohibition against dealing in heels and soles at prices above the maximum. On and after November 1, 1943, the date this regulation takes effect, regardless of any contract or other obligation:

(a) No person is permitted to sell or deliver any heels or soles at a price which is higher than the maximum price fixed by this regulation.

(b) No person is permitted to buy or receive any heels or soles at a price which

is higher than the maximum price. If the purchaser receives from the seller a written statement that the price does not exceed the maximum price fixed by this regulation and the purchaser has no reason to doubt the accuracy of that statement, the purchaser shall be deemed to have complied with this paragraph.

[Paragraphs (a) and (b) amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(c) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by paragraphs (a) or (b).

SEC. 5. Less than maximum prices. Lower prices than those established by this regulation may be charged, demanded, paid or offered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 6. Maximum prices for sales in the shoe factory trade of heels and soles listed in Appendix A. This section is applicable to all sales in the shoe factory trade of heels and soles listed in Appendix A. The seller shall determine the maximum price of a heel or sole covered by this section by deducting from the price for the heel or sole listed in Appendix A all discounts, allowances and any other deductions from the list price that he had in effect to a purchaser of the same class during March, 1942.

[Sec. 6 amended by Am. 2, 9 F.R. 89, effective 1-7-44]

SEC. 7. Maximum manufacturers' prices for sales in the shoe factory trade of heels and soles not listed in Appendix A—(a) *Maximum manufacturers' prices for heels and soles not listed in Appendix A which were dealt in by the manufacturer during the period October 1, 1941, to March 31, 1942, inclusive.* This paragraph is applicable to sales in the shoe factory trade of heels and soles not listed in Appendix A which are the same as a heel or sole delivered or offered for delivery in the shoe factory trade by the manufacturer during the period October 1, 1941, to March 31, 1942, inclusive. The maximum price for a heel or sole covered by this paragraph shall be the first applicable of the prices set forth in subparagraphs (1) to (4) below, less the deduction required by subparagraph (6) below, wherever applicable:

[Section heading and paragraph (a) amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(1) The highest price at which the manufacturer during March, 1942, delivered, or if no delivery was made, at which he offered to deliver during that month to a purchaser of the same class a heel or sole which is the same as the heel or sole being priced.

(2) The highest price at which the manufacturer during March, 1942, delivered, or if no delivery was made, at which he offered to deliver during that month to a purchaser of a different class a heel or sole which is the same as the heel or sole being priced, adjusted to reflect the seller's March, 1942, differential between the two classes of purchasers.

(3) The last price at which the manufacturer during the period October 1,

³ Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

⁴ 9 F.R. 1385, 5169, 6106.

⁵ 8 F.R. 4132, 5987, 7682, 8998, 15193; 9 F.R. 1036, 7201.

1941, to February 28, 1942, inclusive, delivered, or if no delivery was made, at which he offered to deliver during that period to a purchaser of the same class a heel or sole which is the same as the heel or sole being priced.

(4) The last price at which the manufacturer during the period October 1, 1941, to February 28, 1942, inclusive, delivered, or if no delivery was made, at which he offered to deliver during that period to a purchaser of a different class a heel or sole which is the same as the heel or sole being priced, adjusted to reflect the seller's March, 1942, differential between the two classes of purchasers.

(5) *Same heel or sole.* For the purposes of this section, the heel or sole being priced shall be deemed to be the same as a heel or sole delivered or offered for delivery by the manufacturer during the period October 1, 1941, to March 31, 1942, inclusive:

(i) If it is identical to a heel or sole delivered or offered for delivery by the manufacturer during that period;

(ii) If it is made in the same mold and is made for shoes of the same kind and price line as a heel or sole delivered or offered for delivery by the manufacturer during that period, and if its physical specifications are not lower than the physical specifications of that heel or sole on April 8, 1943; or

(iii) If it is the same as a heel or sole delivered or offered for delivery by the manufacturer during that period, except for the changes made necessary by the substitution of buna-S (GR-S) or butyl (GR-I) for natural rubber.

(6) *Deduction of federal excise tax.* If, during March 1942, the manufacturer did not customarily state and collect separately from the purchase price the federal excise tax on rubber commodities, he shall deduct the amount of such tax from the first applicable of the prices set forth in subparagraphs (1) to (4), inclusive.

(b) *Maximum manufacturers' prices for heels and soles not listed in Appendix A which are not the same as those dealt in by the manufacturer during October 1, 1941, to March 31, 1942, inclusive—*(1) *Maximum prices.* This paragraph is applicable to heels and soles not listed in Appendix A, which are not the same as a heel or sole delivered or offered for delivery in the shoe factory trade by a manufacturer during the period October 1, 1941, to March 31, 1942, inclusive. The phrase "the same as" is defined in subparagraph (5) of the preceding paragraph (a). The maximum manufacturer's price for a heel or sole covered by this paragraph shall be the maximum price established under paragraph (a) for the sale by the nearest competitive manufacturer to the same class of purchaser of a heel or sole made in approximately the same contour, iron, and size and to substantially the same physical specifications as the heel or sole being priced. For example, to price under this section, a men's non-fiber eight-nail reclaimed rubber half heel, size 12/13, made with a tensile strength of 800 and an abrasion of 18, it is necessary to take the maximum price of a competitor who during the base period of October 1,

1941, to March 31, 1942, delivered or offered for delivery a men's non-fiber, eight-nail reclaimed rubber half heel, size 12/13, with an approximate tensile strength of 800 and an abrasion of 18.

[Subparagraph (1) amended by Am. 2, 9 P.R. 89, effective 1-7-44; and Am. 6, 9 P.R. 6529, effective 6-20-44]

(2) *Report and approval of maximum prices.* Before or at the time of the first delivery after October 31, 1943, of a heel or sole priced under this paragraph (b) the manufacturer shall file a report with the Office of Price Administration, Washington, D. C. This report shall include:

(i) Four pairs of the heel or sole priced under this paragraph (b);

(ii) The maximum price determined by the seller; and

(iii) A statement of the reasons why the manufacturer selected the particular heel or sole produced by another manufacturer as the basis for establishing the maximum price of the heel or sole being priced.

The manufacturer may sell, offer to sell, deliver, transfer and receive payment for the heel or sole at the maximum price proposed by him. However, if the Office of Price Administration determines that that maximum price is not in line with the level of maximum prices established by this regulation, it will designate a different maximum price in writing (not to apply retroactively). The manufacturer may not sell, offer to sell, deliver or transfer the heel or sole at a price in excess of that so designated.

Sec. 8. *Maximum prices for sales in the shoe factory trade of heels and soles not listed in Appendix A by persons other than manufacturers.* This section is applicable to sales in the shoe factory trade of heels and soles that are not listed in Appendix A. The maximum price for a sale in the shoe factory trade by a person, other than a manufacturer, of such heels and soles shall be the maximum price established by section 7 for the sale of the heel or sole by the manufacturer to a purchaser of the same class. If the seller requests the manufacturer to notify him of that price, the manufacturer is required to do so in writing by paragraph (b) of section 18.

[Section heading amended by Am. 2, 9 P.R. 89, effective 1-7-44]

Sec. 9. *Maximum prices for sales in the shoe factory trade of heels and soles that can not be priced under sections 6, 7 and 8—*(a) *Report.* This section is applicable to sales in the shoe factory trade by all persons of heels and soles that can not be priced under section 6, 7 or 8 of this regulation. The maximum price for such sales shall be a price in line with the level of maximum prices established by this regulation, specifically authorized by the Office of Price Administration. A seller seeking such an authorization shall file a report with the Office of Price Administration, Washington, D. C. This report shall include 4 pairs of the heel or sole being priced and the following information:

[Section heading amended by Am. 2, 9 P.R. 89, effective 1-7-44]

(1) The physical specifications (abrasion index, tensile strength, hardness and rubber hydrocarbon content) of the heel or sole.

(2) The principal materials used in the production of the heel or sole.

(3) A statement of the reasons why the maximum price can not be determined under any other section of the regulation.

(4) The current estimated direct labor, direct materials, factory overhead and total costs of producing the heel or sole in the case of a manufacturer, and the current price the seller is paying for the heel or sole in the case of any other seller.

(5) The maximum price proposed by the seller.

(6) A statement of the reasons why the seller believes that this price is in line with the level of maximum prices established by this regulation.

(b) *Maximum prices.* The seller may sell, offer to sell, deliver and transfer the heel or sole at the maximum price proposed by him in the report. However, he may not receive payment for the heel or sole until the Office of Price Administration approves the proposed maximum price in writing or until twenty-one days have elapsed after the mailing of the report without the Office of Price Administration disapproving of the maximum price. If the Office of Price Administration disapproves of the proposed maximum price, it will designate a different maximum price in writing. The seller may not receive payment for the heel or sole at a price in excess of that so designated. The maximum price either approved or designated in the manner just set forth shall be the maximum price for all subsequent sales of the heel or sole to purchasers of the same class as the one for which the maximum price is established. However, the Office of Price Administration may establish in writing a different maximum price (not to apply retroactively).

Sec. 9a. *Maximum prices for sales of heels and soles in the home replacement trade—*(a) *Maximum prices for sales of heels in the home replacement trade—*(1) *Maximum prices.* The maximum prices for all sales of rubber heels in the home replacement trade shall be the prices listed in Table I of Appendix B. These prices vary, depending upon whether the heel in question is classed as a "standard", a "competitive", or a "special competitive" grade heel, according to specifications set forth in Table II of Appendix B. The classification of a heel for pricing purposes is dependent upon the physical tests the heel can meet. Accordingly, in order to be sold at the maximum prices for any of the particular grades in Appendix B, the heel must meet the specifications set forth in Appendix B for that grade of heel.

(2) *Modification.* Every manufacturer, wholesaler, distributor, and jobber shall give each person purchasing heels for sale in the home replacement trade a written notification of the grade of heel sold according to the specifications set forth in Table II of Appendix B. In

sales to wholesalers, distributors, and jobbers, the manufacturer shall also include the maximum wholesale and retail prices applicable thereto. In sales to retailers, this notification shall include the maximum retail price applicable thereto, unless the manufacturer has marked the maximum retail price on each pair of heels or on the unit of sale container in which each pair of heels is sold at retail.

[Paragraph (a) amended by Am. 4, 9 F.R. 5311, effective 5-24-44]

(b) *Maximum prices for sales of soles in the home replacement trade.* The maximum price for all sales of soles in the home replacement trade shall be determined in accordance with the provisions of the General Maximum Price Regulation.

[Sec. 9a added by Am. 2, 9 F.R. 89, effective 1-7-44]

Sec. 10. *Federal and state taxes.* Any tax upon or incident to, the sale, delivery or processing of heels or soles imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased. The tax on the transportation of all property imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any heel or sole, be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

Sec. 11. *Terms and conditions of sale—*
(a) *Credit charges.* Charges for the extension of credit may be added to the maximum prices established by this regulation if: (1) The seller during March, 1942, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of the same or similar types of heels or soles; (2) the amount charged for the extension of credit is not in excess of the charge the seller had in effect during March, 1942, for extension of credit involving the same amount and term; and (3) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser must buy on credit.

(b) *Transportation charges.* No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any heel or sole than the seller required purchasers of

the same class to pay on deliveries of the same or similar types of heels or soles during March, 1942.

Sec. 12. *Fractions of a cent.* Notwithstanding any other provisions of this regulation, maximum prices established by this regulation shall be adjusted to the nearest fraction of a cent that the seller customarily used during March, 1942, in pricing heels or soles sold in the shoe factory trade.

Sec. 13. *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold, or otherwise transferred after March 31, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

ARTICLE III—MISCELLANEOUS

Sec. 14. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.^o

Sec. 15. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production, and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator, or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated.

Sec. 16. *Records.* Every person subject to the provisions of this regulation is required to keep certain records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in three paragraphs as follows:

(a) *Records of sales.* Every person subject to this regulation shall keep accurate records of each sale (except sales

at retail) of a heel or sole covered by the regulation. These records shall show:

[Paragraph (a) amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(1) The date thereof.
(2) The name and address of the buyer.

(3) The quantity of each class, type, condition and grade of heel or sole sold.

(4) The price received per unit.

(b) *Records of the bases on which maximum prices are determined.* Every manufacturer subject to this regulation shall keep accurate records of the following:

(1) The prices charged by the manufacturer during the period October 1, 1941, to March 31, 1942, for each heel and sole covered by this regulation.

(2) Detailed cost estimate sheets and other data showing the calculation of the prices of all heels and soles for which the maximum prices must be determined under section 9 of this regulation.

(c) *Records of notifications of maximum prices given to resellers.* Every manufacturer subject to this regulation shall keep exact copies of all notifications of maximum prices given to resellers of heels and soles covered by this regulation.

Sec. 17. *Reports—*(a) *Price lists.* Every seller subject to the provisions of this regulation shall file with the Office of Price Administration, Washington, D. C., before December 1, 1943, his latest price lists for heels or soles sold in the shoe factory trade. Thereafter, whenever a seller subject to the provisions of this regulation issues a new price list, he shall file one copy with the Office of Price Administration, Washington, D. C., within 10 days after putting the new price list into effect.

(b) *Maximum prices.* In addition every seller subject to the provisions of this regulation shall file with the Office of Price Administration, Washington, D. C., before December 1, 1943, the maximum prices established by this regulation for all heels or soles sold or offered for sale in the shoe factory trade on November 1, 1943, which are not included in, or differ from, the filed price lists.

Sec. 18. *Notification by manufacturers—*(a) *Grades of heels made from HF Compound.* Every manufacturer of heels manufactured from HF Compound (as defined in War Production Board Order R-1 issued on June 18, 1943) after October 31, 1943, for sale in the shoe factory trade, shall notify the purchaser in writing of the grade of the heels in question. The grades shall be "HF-A", "HF-B", "HF-C", "HF-D", and "corded." Such notification shall appear either on the invoice or in the price list sent to the purchaser.

(1) *Meaning of "HF-A", "HF-B", "HF-C", "HF-D" and "corded."* (i) The symbols "HF-A", "HF-B", "HF-C", and "HF-D" mean heels manufactured after August 3, 1944 which can meet the following physical tests:

Grade	All types except whole heels		Whole heels	
	Minimum abrasion ¹	Tensile strength	Minimum abrasion ¹	Tensile strength
HF-A	20	700	16	600
HF-B	15	600	12	550
HF-C	10	400	10	400
HF-D ²	10	400	10	400

¹ No minus tolerance allowed. The methods of Federal specifications FA-ZZ-H-141 and ZZ-R-601a shall be applicable to these specifications.

² "HF-D" heels are all run-of-the-mill heels, not carefully trimmed or inspected.

[Subdivision (1) amended by Am. 7, effective 8-3-44.]

(ii) "Corded" heels are any heels containing clearly distinguishable whole cords which at any given level lie generally parallel to each other. The minimum abrasion of such heels must be 28.

(b) *Notification of maximum prices.* Every manufacturer of heels or soles covered by this regulation shall notify every reseller to whom he sells heels or soles of the maximum prices established by this regulation for the sale of the heels or soles by the manufacturer to the class or classes of purchasers to whom the reseller intends to sell the heels or soles. This notification shall be in writing and need be given only if the reseller specifically requests it.

Sec. 19. *Licensing.* The provisions of Licensing Order No. 1,⁷ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 20. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to heels and soles covered by this regulation alone, or in conjunction with any other commodity by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or otherwise.

Sec. 21. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 22. *Definitions.* (a) When used in this regulation, the term:

(1) "Manufacturer" means any person engaged in the production of heels or soles.

(2) "Natural rubber" means all forms and types of crude rubber, natural latex, reclaimed rubber and scrap rubber.

(3) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(4) "Purchaser of the same class" and "class of purchaser" refers to the practice adopted by the seller in setting different prices for sales of heels and soles to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, public institution), or for purchasers located in different areas or for different quantities or grades, or under different conditions of sale.

(5) "Rubber" means all forms and types of natural, synthetic and balata rubber.

[Subparagraph (5) amended by Am. 3, 9 F.R. 794, effective 1-26-44]

(6) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(7) "Sale at retail" means a sale to an ultimate consumer.

(8) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer.

[Subparagraphs (7) and (8) added by Am. 2, 9 F.R. 89, effective 1-7-44]

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

[Paragraph (b) amended by Am. 3, 9 F.R. 794, effective 1-26-44]

APPENDIX A—PRICES FROM WHICH MARCH, 1942, DISCOUNTS MUST BE DEDUCTED

TABLE I—CERTAIN HEELS AND SOLES SOLD IN THE SHOE FACTORY TRADE¹

[Prices from which March, 1942, discounts must be deducted²]

MEN'S HALF HEELS			
Standard Washer—Carbon-black type			
[Prices per 100 pairs]			
Grade ¹	Size	Thickness and price	
		3/16"	1/8"
HF-A	Sizes 1 3/4 and larger	—	\$3.15
HF-A	All sizes to 1 3/4	\$3.00	0.00
HF-B	All sizes to 1 3/4	0.15	0.45
HF-C	All sizes to 1 3/4	0.75	0.00
HF-D	All sizes to 1 3/4	0.75	0.75

See footnotes at end of table.

APPENDIX A—Continued

TABLE I—Continued

MEN'S WHOLE HEELS

Standard Washer—Carbon-black type

Grade	Size	3/8"	1/2"
HF-A	Sizes 1 3/4 and larger	\$3.50	—
HF-A	All sizes to 1 3/4	9.00	—
HF-B	All sizes to 1 3/4	7.00	—
HF-C	All sizes to 1 3/4	7.00	—
HF-D	All sizes to 1 3/4	6.50	—

BOYS' WHOLE HEELS

Standard Carbon-black type

Grade	Size	3/8"	1/2"
HF-A	All sizes	\$3.00	\$7.50
HF-B	All sizes	6.00	7.15
HF-C	All sizes	6.00	6.50
HF-D	All sizes	5.25	5.00

[Subtable amended by Am. 1, 8 F.R. 16193, effective 12-4-43]

MEN'S CORD HEELS

Grade	Size	3/8" and 1/2"
7-13	—	\$2.00

BOYS' CORD HEELS

Grade	Size	3/8" and 1/2"
1-7	—	\$3.00

SPORT HEELS

Standard Carbon-black Type

Grade	Size	3/8"	1/2"
HF-B	Men's	\$10.00	\$11.00
HF-C	Men's	9.00	10.00
HF-B	Boys'	9.00	—
HF-C	Boys'	8.00	—
HF-B	Women's	7.00	8.00
HF-C	Women's	6.00	7.00

WOMEN'S CUPAN HEELS

Standard Carbon-black Type

Grade	Size	3/8"	1/2"
HF-A	All regular sizes	\$3.40	—
HF-B	All regular sizes	3.15	—
HF-C	All regular sizes	2.60	—
HF-D	All regular sizes	2.50	—

[Subtitles amended by Am. 1, 8 F.R. 16193, effective 12-4-43]

JUNIOR HEELS

Standard Carbon-black Type

Grade	Size	3/8"	1/2"
HF-A	21-22 and larger	\$7.20	—
HF-A	19-20	6.40	—
HF-A	17-18	5.05	—
HF-A	15-16	5.75	—
HF-A	12-14	4.55	—
HF-A	9-11	3.80	—
HF-B	19 and larger	6.05	—
HF-B	17-18	5.00	—
HF-B	15-16	5.40	—
HF-B	12-14	4.35	—
HF-B	9-11	3.55	—
HF-C	21-22 and larger	6.55	—
HF-C	19-20	5.85	\$8.50
HF-C	17-18	5.20	5.95
HF-C	15-16	5.05	5.45
HF-C	12-14	4.00	4.05
HF-C	9-11	3.25	—
HF-D	21 and larger	6.00	—
HF-D	19-20	5.25	6.00
HF-D	17-18	4.75	5.40
HF-D	15-16	4.25	4.05
HF-D	12-14	3.50	4.15
HF-D	9-11	2.50	—

[Subtitles amended by Am. 1, 8 F.R. 16193, effective 12-4-43]

See footnotes at end of table.

⁷ 8 F.R. 13240.

APPENDIX A—Continued

TABLE I—Continued

JUNIOR WEDGES

Standard Carbon-black Type

Grade	Size	5/16" and 3/8"
HF-A	5-6	\$4.55
HF-A	1-4	3.80
HF-B	5-6	4.30
HF-B	1-4	3.55
HF-C	5-6	4.05
HF-C	1-4	3.25
HF-D	5-6	3.50
HF-D	1-4	2.90

HEEL BASES

Standard Carbon-black Type

Grade	Size	Thickness and price				
		3/16"	3/8"	2 1/2/8"	3/8"	3 1/2/8"
HF-C	Men's	\$3.00	\$3.25	\$3.75	\$4.25	\$4.75
HF-C	Men's			3.50	3.75	4.25
HF-C	Women's				3.00	
HF-C	L. G.	2.75				
HF-C	Boys		3.00	3.25	3.50	

[Prices per strip or per slab]

TOPLIFT STRIPS

Standard Carbon-black Type

Thickness	Size and price	
	24" x 24"	
14 Iron	\$1.80	
12 Iron	1.55	
10 1/2 Iron	1.40	
9 Iron	1.25	
8 Iron	1.15	
7 Iron	1.10	
6 Iron	1.05	
5 Iron	1.00	

[Subtitles amended by Am. 1, 8 F.R. 16198, effective 12-4-43]

COMPOSITION SOLING SLABS¹

Standard Carbon-black Type

Thickness	Size and price		
	31" x 31"	24" x 36"	24" x 24"
14 Iron	\$2.37	\$2.13	\$1.42
12 Iron	2.18	1.95	1.31
10 1/2 Iron	2.00	1.80	1.20
9 Iron	1.80	1.62	1.08
8 Iron	1.60	1.44	.96
7 Iron	1.45	1.30	.87
6 Iron	1.35	1.21	.81
5 Iron	1.30	1.17	.78

[Subtitle amended by Am. 1, 8 F.R. 16198, effective 12-4-43; table amended by Am. 6, 9 F.R. 6256, effective 6-7-44]

FLAT CORD SOLING SLABS²

Thickness	Size and Price ³		
	31" x 31"	24" x 36"	24" x 24"
14 Iron	\$2.70	\$2.45	\$1.60
12 Iron	2.45	2.20	1.45
10 1/2 Iron	2.25	2.05	1.35
9 Iron	2.05	1.85	1.25
8 Iron	1.80	1.65	1.10
7 Iron	1.60	1.45	1.00
6 Iron	1.50	1.35	.90
5 Iron	1.45	1.30	.85

[Table added by Am. 3, 9 F.R. 794, effective 1-26-44 and amended by Am. 7, effective 8-3-44]

See footnotes at end of table.

[Prices of Soles per Pair]

FULL SOLES—HM COMPOUND⁴

Standard Carbon-black Type

Men's:		
14 Iron	.....	\$0.245
12 Iron	.....	.225
10 1/2 Iron	.....	.205
9 Iron	.....	.19
Boys':		
14 Iron	.....	.205
12 Iron	.....	.185
10 1/2 Iron	.....	.175
9 Iron	.....	.165
Youths':		
12 Iron	.....	.16
10 1/2 Iron	.....	.145
9 Iron	.....	.135
Little gents':		
10 1/2 Iron	.....	.135
9 Iron	.....	.125
Women's:		
9 Iron	.....	.13
7 Iron	.....	.12
Misses':		
9 Iron	.....	.12
7 Iron	.....	.11
Children's:		
9 Iron	.....	.11
7 Iron	.....	.10

[Table amended by Am. 5, 9 F.R. 6256, effective 6-7-44]

STANDARD FLAT CORD FULL SOLES

HM Compound or HL Compound

Men's:		
14 Iron	.....	\$0.29
12 Iron	.....	.26
Boys':		
14 Iron	.....	.24
12 Iron	.....	.21
Youths':		
12 Iron	.....	.17

STANDARD CORD-ON-END FULL SOLES

HM Compound or HL Compound

Men's:		
14 Iron	.....	\$0.34
12 Iron	.....	.31
Boys':		
14 Iron	.....	.29
12 Iron	.....	.26
Youths':		
12 Iron	.....	.22

¹The prices given in this table are for standardized items only. The prices of specially designed or constructed heels and soles are not included. These prices also apply if buna-S (GR-S) or butyl (GR-I) is substituted for natural rubber in the standard items included in this table. For sizes or thicknesses which differ from the sizes and thicknesses given in this table for any type of heel or sole, the manufacturer shall add to or subtract from the maximum price for the size or thickness given in the table which is nearest (or if two, the lower) to the item being priced, the customary dollar-and-cent differential which the manufacturer had in effect during the base period October 1, 1941, through March 31, 1942, for the two items.

[Footnote 1 amended by Am. 1, 8 F.R. 16198, effective 12-4-43]

²Sec. 6 requires the seller to deduct from the prices listed in Appendix A all discounts, allowances and other deductions from the list price that he had in effect during March, 1942, to a purchaser of the same class.

³When used in Table I the symbols "HF-A", "HF-B", "HF-C" and "HF-D" have the meaning given to them by paragraph (a) (1) of section 18. The compounds HL Compound and HM Compound have the meaning given to them by Rubber Order R-1 issued by the War Production Board on June 18, 1943.

⁴No minimum abrasion required.

⁵Maximum prices for sizes of soling slabs not given in this table shall be determined by multiplying their area in square feet by

the square foot price derived from the 24" x 24" slab of the same iron.

[Footnote 5 added by Am. 1, 8 F.R. 16198, effective 12-4-43]

⁶These maximum prices apply to flat cord soling slabs made from low grade friction scrap which at least equal the minimum specifications established by the War Production Board in Order M-217. However, such slabs which contain clearly discernible whole cords and have a minimum abrasion of 45 or more, a stitch tear test of 60 pounds or more (wet and dry), when tested by the National Bureau of Standards, Washington, D. C., may be priced by specific authorization of the Office of Price Administration, Washington, D. C., under section 9 of the regulation. A seller seeking such an authorization shall file a report in accordance with section 9.

[Footnote 6 added by Am. 3, 9 F.R. 794, effective 1-26-44; amended by Am. 5, 9 F.R. 6256, effective 6-7-44 and Am. 7, effective 8-3-44.]

⁷Maximum prices for sizes of soling slabs not given in this table shall be determined by multiplying their area in square feet by the square foot price derived from the 24" x 24" slab of the same iron.

[Footnote 7 added by Am. 3, 9 F.R. 794, effective 1-26-44; amended by Am. 5, 9 F.R. 6256, effective 6-7-44]

⁸The maximum prices for youths', little gents', misses' and children's sizes of full soles dinked out of fuel cell, belt and hose scrap shall be the same as that provided for corresponding size and iron of the standard carbon-black type. Infants' sizes shall be 14 less than children's sizes of the same iron. If a manufacturer did not have a customary differential from October 1, 1941, to March 31, 1942, for sizes not shown in the table he shall determine his price by interpolation.

[Footnote 8 added by Am. 3, 9 F.R. 794, effective 1-26-44]

APPENDIX B—HEELS SOLD IN THE HOME REPLACEMENT TRADE

TABLE I—MAXIMUM PRICES¹

Type and trade	Manufacturers' prices—per doz pair	Wholesalers' prices—per doz pair	Retailers' prices—per pair
Men's half heel:			
Q2 or standard grade	\$1.39	\$1.85	\$0.23
Q3 or competitive grade	1.10	1.55	.20
Q4 or special competitive grade	.85	1.15	.15
Men's whole heel:			
Q2 or standard grade	1.65	2.20	.30
Q3 or competitive grade	1.43	1.90	.23
Q4 or special competitive grade	1.05	1.35	.15
Boys' whole heel:			
Q2 or standard grade	1.39	1.85	.23
Q3 or competitive grade	1.15	1.55	.20
Q4 or special competitive grade	.85	1.15	.15
Women's scoop heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.80	1.20	.15
Q4 or special competitive grade	.60	.80	.10
Junior heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.80	1.20	.15
Q4 or special competitive grade	.70	.90	.10
Junior wedge heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.80	1.20	.15
Q4 or special competitive grade	.65	.85	.10
Women's Cuban heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.80	1.20	.15
Q4 or special competitive grade	.60	.65	.10
Toplift and French heel: Q4 or special competitive grade	.45	.60	.10

¹Prices for Q2 and Q3 grades apply to heels individually boxed with nails. Q4 prices apply to bulk and boxed heels.

²Maximum manufacturers' prices are subject to a 2% cash discount and the manufacturer shall not reduce

any transportation allowance he had in effect to a purchaser of the same class during March 1942.

* Maximum wholesalers' prices are subject to any cash discount and transportation allowance the wholesaler had in effect to a purchaser of the same class during March 1942.

TABLE II—SPECIFICATIONS

Grade	All types except whole heels		Whole heels	
	Minimum abrasion ¹	Tensile strength	Minimum abrasion ¹	Tensile strength
Q-2 or standard grade.....	30	1,000	20	700
Q-3 or competitive grade.....	20	700	15	600
Q-4 or special competitive grade.....	10	400	10	400

¹ A minus tolerance of 2 is permitted on Q-2 and Q-3 heels until January 1, 1945, after which time no minus tolerance is permitted. No tolerance is permitted on Q-4 heels. The methods of Federal specifications EA-ZZ-H-141 and ZZ-R-601a shall be applicable to these specifications.

[Table II amended by Am. 7, effective 8-3-44.]

[Appendix B added by Am. 2, 9 F.R. 89, effective 1-7-44; amended by Am. 4, 9 F.R. 6311, effective 5-24-44]

Effective date. This regulation shall become effective November 1, 1943.

[MPR 477 originally issued October 12, 1943]
[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11373; Filed, July 29, 1944;
4:26 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,¹ Amdt. 83]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (49) is added to read as follows:

(49) "Emergency Truck Tire Board" means a Board to which a District Director has assigned a quota of new truck tires with a cross-section size 8.25 or larger.

2. Section 1315.303 (c) is added to read as follows:

(c) **Emergency Truck Tire Board.** An Emergency Truck Tire Board shall have jurisdiction to act upon applications for truck tires with a cross-section size 8.25 or larger filed with Truck Tire Boards

and War Price and Rationing Boards in the area it serves.

3. Section 1315.305 (c) is added to read as follows:

(c) No Board other than an Emergency Truck Tire Board shall issue a certificate for a truck tire with a cross-section size 8.25 or larger, unless it has been instructed to do so by an Emergency Truck Tire Board.

4. Section 1315.602 (a) is amended to read as follows:

(a) **Tires for consumers.** Applications for certificates authorizing the acquisition of tires (other than to establish, increase or replenish an emergency reserve) shall be filed with the Board having jurisdiction under § 1315.302 or § 1315.303. A separate application must be filed on OPA Form R-1 (Revised) for each passenger automobile. One application may be made on OPA Form R-1 (Revised) for all commercial motor vehicles or equipment owned and operated by the same person, used for the same purposes and principally stationed or garaged at the same place, except that applications on OPA Form R-1 for truck tires with a cross-section size 8.25 or larger shall be filed separately from applications for other tires. Such an applicant shall attach a statement to OPA Form R-1 (Revised) stating the license number, state of registration, year, model, make and body type of each commercial motor vehicle or piece of equipment for which application is made.

In an area served by an Emergency Truck Tire Board the Board with which an application on OPA Form R-1 (Revised) for truck tires with a cross-section size 8.25 or larger is filed, shall forward the application to the Emergency Truck Tire Board serving its area, if the applicant has established need and eligibility under this order. However, an application shall not be forwarded when the Board has been instructed by the Emergency Truck Tire Board to issue a certificate to the applicant.

5. The text of § 1315.602 (b) preceding subparagraph (1) is amended by adding the following at the end thereof:

An application on OPA Form R-19 for truck tires with a cross-section size 8.25 or larger shall be filed separately from an application for other tires. In an area served by an Emergency Truck Tire Board, the Board with which application on OPA Form R-19 for truck tires having a cross-section size 8.25 or larger is filed shall forward the application to the Emergency Truck Tire Board serving its area, if the applicant has established need and eligibility under this order. However, an application shall not be forwarded when the Board has been instructed by the Emergency Truck Tire Board to issue a certificate to the applicant.

6. Section 1315.610 (a) is amended to read as follows:

(a) **Use of certificate.** A person to whom a properly executed certificate was

issued may use it for the purposes specified thereon, except that a person who has been issued a certificate, dated prior to July 16, 1944, for a truck tire with a cross-section size 8.25 or larger, which he has not transferred to a dealer or manufacturer prior to July 30, 1944, must surrender the certificate to the issuing Board not later than August 10, 1944.

7. Section 1315.803 (a) is amended to read as follows:

(a) **By dealers.** A dealer may, in exchange for a certificate, transfer tires to a consumer: *Provided, however,* That a dealer may not transfer a truck tire with a cross-section size 8.25 or larger in exchange for a certificate dated prior to July 16, 1944.

8. Section 1315.803 (b) (1) is amended to read as follows:

(1) A manufacturer may, in exchange for a certificate, transfer tires to a consumer who acquired tires from a manufacturer between December 31, 1940 and August 6, 1943: *Provided, however,* That a manufacturer may not transfer a truck tire with a cross-section size 8.25 or larger in exchange for a certificate dated prior to July 16, 1944.

9. Section 1315.804 (c) (3) is amended to read as follows:

(3) **Permitted replenishment of tires.** Subject to the provisions of subparagraph (1) of this paragraph any dealer or manufacturer may, in exchange for a properly endorsed replenishment portion of a certificate or receipt, transfer to another dealer or manufacturer the number of tires authorized by the certificate or receipt in accordance with the table below:

If replenishment portion calls for—	Dealer or manufacturer may replenish with—
A Grade I tire.....	A Grade I or III tire.
A Grade II tire.....	A Grade I or III tire.
A Grade III tire.....	A Grade III tire.
A Grade I or II tire only.	A Grade I tire.
A truck tire with a cross-section size 7.50 or smaller.	A truck tire with a cross-section size 7.50 or smaller, or a small tractor-implement tire.
A truck tire with a cross-section size 8.25 or larger.	A truck tire with a cross-section size 8.25 or larger.
A small tractor-implement tire.	A small tractor implement tire, or a Grade III tire.
A large tractor-implement tire.	A tractor-implement or a Grade III tire.
A truck tire (no designated size—on OPA Form R-12 only).	A truck tire with a cross-section size 7.50 or smaller, or a small tractor-implement tire.

Provided, however, That no manufacturer shall transfer tires in exchange for the replenishment portion of a certificate or receipt which is dated prior to April 1, 1944, unless he received the replenishment portion on or before July 15, 1944: *And provided further,* That no dealer or manufacturer shall transfer truck tires with a cross-section size 8.25 or larger in exchange for a replenish-

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9160, 9392, 9724.

ment portion of a certificate or receipt which is dated prior to July 16, 1944, except to dealers outside the continental United States.

10. Section 1315.1003 (b) is added to read as follows:

(b) *Certificates or receipts for truck tires dated prior to July 16, 1944.* (1) A dealer shall forward to the District Office serving the area in which each of his establishments is located, by August 10, 1944, the following certificates or parts of certificates or receipts for truck tires with a cross-section size 8.25 or larger which are dated prior to July 16, 1944;

(i) All replenishment portions of certificates or receipts, whether or not he has transferred a tire thereon;

(ii) All certificates and parts thereof received from a consumer for which no tire has been transferred to the consumer.

(2) If a Part B of OPA Form R-12, surrendered to a District Office in accordance with subparagraph (1), also calls for truck tires with a cross-section size 7.50 or smaller or for any other type of tire, a District Office shall issue to the dealer Parts B of OPA Form R-2 representing such tires.

11. A new § 1315.1004 is added to read as follows:

§ 1315.1004 *Records of dealers relating to certain truck tires 8.25 or larger.* Every dealer shall take, on July 30, 1944, as of the close of business on July 29, 1944, for each of his establishments, separate inventories of new and used truck tires with a cross-section size 8.25 or larger in his possession, and shall keep a record thereof. He shall also keep a record of the number of new and used truck tires with a cross-section size 8.25 or larger which were in transit to him on July 29, 1944, and which he received after that date.

This amendment shall become effective July 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 29th day of July 1944.²

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11374; Filed, July 29, 1944; 4:24 p. m.]

PART 1316—COTTON TEXTILES

[RPS 35,¹ Amdt. 21]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment

¹ 8 F.R. 1963, 5306, 15906, 16744, 9 F.R. 2020, 2237, 2477, 2790, 3339, 7700.

has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 Carded Grey and Colored-Yarn Cotton Goods, is amended in the following respects:

1. In Table V of § 1316.61 (b) (4), the figure 17.00 in the column under the heading "Chambrays" and opposite the description "3.60 yards" is changed to read 18.25.

2. Footnote 1 to Table V of § 1316.61 (b) (4) is amended to read as follows:

¹ The maximum prices set forth herein are for fabrics 36 or more inches in width. The maximum price for a fabric of any lesser width shall be that price which stands in the same relation to the applicable price set forth herein (i. e., for the same cloth of 36-inch width) as does its width to 36 inches.

Maximum prices for cloths of weight other than those listed herein (for the same type of cloth) shall be determined in inverse proportion to the respective number of yards per pound from the maximum price in effect on June 29, 1944 for the cloth of that type and of the nearest weight: *Provided*, That, the price listed herein for 3.60 yd. sanforized carded fine yarn shirting chambray shall apply to goods no lighter than the actual weight which the individual seller has customarily delivered against contracts calling for the 3.60 weight; *And provided further*, That, goods delivered against contracts call-

ing for the 3.60 weight chambray, which are of a weight other than that which a seller has customarily delivered against such contracts, shall be priced in inverse proportion to the yardage per pound customarily delivered.

This amendment shall become effective as of June 30, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11375; Filed, July 29, 1944; 4:24 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,¹ Amdt. 25 to 2d Rev. Supp. 1]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The point values of the items listed below, on the Official Table of Point Values (No. 17), referred to in § 1407.1102 (a), are amended to read as follows:

Canned or bottled	Over.....	0	7 oz.	10 oz.	14 oz.	1 lb. 2 oz.	1 lb. 6 oz.	2 lb.	No. 10 size containers	Sizes not listed per pound
	Including.	7 oz.	10 oz.	14 oz.	1 lb. 2 oz.	1 lb. 6 oz.	2 lb.	3 lb.		
Vegetables (include purees): Corn, vacuum-packed whole kernel.....		2	3	3	5	6	9	14	30	5
Corn (except vacuum-packed whole kernel, exclude corn on cob).....		1	2	3	4	5	7	12	30	4
Spreads (whether or not hermetically sealed): Jams, preserves, or marmalades—pure or imitation (except marmalades containing only citrus fruits):.....										
(3) Grape, tomato (or in combination with apple or any other fruits or flavors except those listed in (1), (2) above).....		0	0	0	0	0	0	0	0	0

This amendment shall become effective at 12:01 a. m., July 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11376; Filed, July 29, 1944; 4:24 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,¹ Amdt. 7 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (c) (9) is added to read as follows:

(9) A5, B5, and C5 are valid beginning July 30, 1944.

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 6772, 6825, 7262, 7438.

This amendment shall become effective July 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11377; Filed, July 29, 1944; 4:25 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333,¹ Amdt. 27]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment,

¹ 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607.

² 8 F.R. 2488, 3002, 3070, 3735, 5342, 5330, 6182, 6476, 6626, 7457, 9027, 9300, 9879, 11381, 12095, 12478, 12632, 14093, 14400, 14855, 15450, 16199, 16999, 17485; 9 F.R. 1885, 2408, 2557, 2612.

issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.67a (e) is amended to read as follows:

(e) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in the basing point cities of New York, Seattle, Los Angeles, San Diego, Phoenix and Tucson.*

TABLE I—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH SEPTEMBER 30, 1944

Week beginning	Extras Nos. 1 and 2	Standards Nos. 1 and 2	Standards Nos. 3 and 4 and current receipts
July 31.....	44.5	39.5	37.5
Aug. 7.....	45.5	40.5	38.5
14.....	46.5	41.0	38.5
21.....	46.5	41.0	39
28.....	47.0	41.0	40
Sept. 4.....	47.5	42.0	40.5
11.....	48.5	42.0	41.0
18.....	49.5	42.5	42.0
25.....	50.5	43.0	43.0

Section 1429.67a (f) is amended to read as follows:

(f) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in Chicago, Illinois.*

TABLE II—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH SEPTEMBER 30, 1944

Week beginning	Extras Nos. 1 and 2	Standards Nos. 1 and 2	Standards Nos. 3 and 4 and current receipts
July 31.....	42.5	37.9	35.9
Aug. 7.....	43.5	38.9	36.9
14.....	44.5	39.4	36.9
21.....	44.5	39.4	37.4
28.....	45.0	39.4	38.4
Sept. 4.....	45.5	40.4	38.9
11.....	46.5	40.4	39.4
18.....	47.5	40.9	40.4
25.....	48.5	41.4	41.4

3. Section 1429.67a (b) (2) is amended to read as follows:

(2) The "multiplier" to be used for calculating the transportation factor for wholesale grades of shell eggs and for current receipt eggs shall be 1.9 for standard grades and current receipts and 2.5 for specials and extras from July 31, 1944 through September 30, 1944.

4. Section 1429.67a (g) is amended to read as follows:

(g) *Variations in maximum prices for other cities and other grades—(1) Variations for other cities.* (i) The maximum prices in the basing point cities, San Francisco and Portland, (Oregon) are ½ cent lower than those in the above Table I.

(ii) The maximum prices in the basing point city, Miami, Florida, are 1½ cents higher than those in the above Table I.

(2) *Variations for other grades.* (i) From and after the third Sunday following the effective date of this amendment, wholesale grades of "specials" 1, 2, 3,

and 4, large and extra large, may be sold at the prices set out herein only if they have been inspected as such by an authorized inspector of the United States Department of Agriculture, and if not so inspected they shall be sold at no more than the prices for "extras" 1 and 2.

(ii) The maximum prices for wholesale grades of "specials" 1 and 2 in the basing point cities and in Chicago, Illinois are 2 cents more than the maximum prices for "extras" 1 and 2 in such cities.

The maximum prices for wholesale grades of "specials" 3 and 4 in the basing point cities and in Chicago, Illinois, are 1 cent more than the maximum prices for "extras" 1 and 2 in such cities.

(iii) The maximum prices for wholesale grades of "extras" 3 and 4 in the basing point cities and in Chicago, Illinois, shall be the average of the maximum prices for large "extras" 1 and 2 and large "standards" 1 and 2 in such cities. (The average is the sum of the two prices, divided by 2.)

5. Section 1429.67a (h) is amended by adding subparagraph (7) to read as follows:

(7) "Light dirty" eggs, as defined by the Department of Agriculture in "Specifications for official U. S. Standards for quality of Individual Shell Eggs" may be sold to any person at not more than 1 cent less than Grade A prices for large or medium size eggs, but only upon compliance with all of the following conditions:

(i) Their sale within a region is found by the Regional Administrator to have been customary in the past;

(ii) Their sale within a region at that price has been specifically authorized by the Regional Administrator; and

(iii) They are sold in sealed cartons or other sealed containers bearing upon the seal the certificate of the United States Department of Agriculture certifying that the eggs are of an inferior quality of consumer grade A or better.

The Regional Administrator of each region covered by this regulation is hereby authorized to issue an order authorizing the sale, upon compliance with all of the above conditions of this subparagraph (7), of "light dirty" eggs at the prices named.

This amendment shall become effective July 29, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 28, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-11340; Filed, July 29, 1944; 11:40 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 123, Corr.]

CERTAIN CONVERTED PAPER PRODUCTS AND CERTAIN INDUSTRIAL PAPERS

Section 1347.11 is corrected to read § 1347.20.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11346; Filed, July 29, 1944; 11:40 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 111]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 120 is amended in the following respect:

Section 1340.218 is amended to read as follows:

§ 1340.218 *Appendix G: Maximum prices for bituminous coal produced in District No. 7.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

DISTRICT NO. 7—LOW VOLATILE COALS

(1) *Maximum prices in cents per net ton for low volatile coals for shipment to all destinations, for all uses and by all methods of transportation except as otherwise specifically provided in this appendix.*

PRICES AND SIZE GROUP NUMBERS

Price classifications	1	2	3	4	5	6	7	8	9	10
	Lump	Egg	Stove	Nut	Pea	Screened run of mine	Straight run of mine	Screenings top size larger than ¾" x 0 but not exceeding 1¼" x 0	Screenings top size ¾" x 0 but not exceeding ¾" x 0	Screenings ¾" x 0 and smaller
A.....	435	445	410	355	245	330	350	320	315	310
B.....	395	405	370	315	205	290	310	280	275	270
C.....	355	365	330	275	165	250	270	240	235	230
D.....	315	325	290	235	125	210	230	200	195	190
E.....	275	285	250	195	85	170	190	160	155	150
F.....	235	245	210	155	45	130	150	120	115	110
G.....	195	205	170	115	5	90	110	80	75	70
H.....	155	165	130	75		50	70	40	35	30
I.....	115	125	90	35		10	30	0	0	0
J.....	75	85	50	0		0	0	0	0	0
Mine Index Nos. 229, 316 and 703.....	600	610	425	440	410	475	415	350		

*Copies may be obtained from the Office of Price Administration.

(1) *Special price instructions.* (a) The maximum price for Mine Index No. 133 for 100 mesh x 0 dust shall be 300 cents per ton.

(b) The maximum price for refuse coal from Mine Index Nos. 21, 79, 93, 94,

117, 126 and 207 shall be 275 cents per ton.

(2) *Maximum prices in cents per net ton for low volatile coals for shipment by truck or wagon to all destinations for all uses.*

PRICES AND SIZE GROUP NUMBERS

	1	2	3	4	5	6
	All single-screened lump coals bottom size $\frac{3}{4}$ " and larger. All double-screened stove and egg coals top size larger than $1\frac{1}{4}$ "	All double-screened nut and pea coals top size not exceeding $1\frac{1}{4}$ "	Screened mine run from which no coal larger than $\frac{3}{4}$ " x 0 has been removed and all forked coal	Straight mine run, no fines removed, resultants and screenings larger than $1\frac{1}{4}$ " x 0	Screenings larger than $\frac{3}{4}$ " x 0 but not exceeding $1\frac{1}{4}$ " x 0	Screenings top size not exceeding $\frac{3}{4}$ "
For coals produced at any low volatile mine—	465	385	415	350	335	330
Mine Index Nos. 289, 316 and 703—	520	450	480	415	370	370

(3) *Maximum prices in cents per net ton for low volatile coals for railroad locomotive fuel.*

Any single-screened lump or double-screened coals—365. Run of mine—350. Screenings, larger than $1\frac{1}{4}$ " x 0 but not exceeding $2\frac{1}{2}$ " x 0—335. Screenings $1\frac{1}{4}$ " x 0 and smaller—310.

(4) *Maximum prices in cents per net ton for smithing coal.* The maximum price for smithing coal in any size group from any mine shall be 375 cents.

(5) *Specific description of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size group number and description

1. All single-screened lump coal bottom size $\frac{3}{8}$ " and larger.
2. All double-screened egg coal top size larger than 3".
3. All double-screened stove coal top size larger than $1\frac{1}{4}$ " but not exceeding 3". All dedusted screenings top size larger than $1\frac{1}{4}$ " but not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh. Modified screenings top size not exceeding 2", total consist containing not less than 15% $\frac{3}{8}$ " x 0 screenings.

4. All double-screened nut coal top size larger than $\frac{3}{4}$ " but not exceeding $1\frac{1}{4}$ " and dedusted screenings top size larger than $\frac{3}{4}$ " but not exceeding $1\frac{1}{4}$ " and bottom size larger than 100 mesh but not exceeding 10 mesh.

5. All double-screened pea coal top size not exceeding $\frac{3}{4}$ ". Dedusted screenings top size not exceeding $\frac{3}{4}$ " and bottom size larger than 100 mesh but not exceeding 10 mesh.

6. Screened run of mine. Straight run of mine from which all or part of the screenings, top size $\frac{3}{8}$ " or $\frac{3}{4}$ " as designated, have been removed from the following low volatile price classifications:

Classifications applicable to Size Group No. 6 and maximum size of removable screenings:

A B C D E
 $\frac{3}{8}$ " x 0 $\frac{3}{4}$ " x 0 $\frac{3}{8}$ " x 0 $\frac{3}{8}$ " x 0 $\frac{3}{8}$ " x 0

Or in the alternative; straight run of mine which, as shipped, shall contain at least the following percentages of screenings which shall pass through a $\frac{3}{4}$ " round hole screen—applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 6 and minimum percentage of $\frac{3}{4}$ " x 0:

A B C D E
40% (1) 40% 40% 40%

¹No minimum.

PRICES AND SIZE GROUP NUMBERS

	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
Price classification	Lump and block (bottom size larger than 6")	Lump and double-screened egg coals (4" and 6" lump and 8" x 4")	Lump and double-screened egg coals (3" lump and 6" x 4")	Lump and double-screened egg coals (2" lump and 8" x 3")	Double-screened egg coals (6" x 2" and 8" x 3")	Double-screened egg coals (6" x 2" and 8" x 3")	Double-screened egg coals (5" x 2" and 4" x 2")	Double-screened stove coals (3" x 2" and 3" x 1 1/4")	Double-screened nut coals (top size larger than 1 1/4" but not exceeding 2")	Double-screened Stoker coals (top size not exceeding 1 1/4")	Mine Run, (screened, straight, and resultants larger than 2 1/4" x 0)	Screenings (dedusted and modified)	Screenings (larger than 2" x 0, but not exceeding 2 1/4" x 0)	Screenings (larger than 3/8" x 0, but not exceeding 2" x 0)	Screenings (3/8" x 0 and smaller)	Low grade reject
A	440	440	440	420	400	375	355	340	310	410	310	310	310	305	290	270
B	440	415	415	395	375	350	315	310	305	375	310	310	310	305	285	265
C	420	400	400	385	375	350	315	310	305	375	305	305	305	305	285	265
D	410	400	400	385	375	350	315	310	305	375	305	305	305	305	285	265
E	400	390	390	375	375	345	315	310	300	375	305	300	295	295	270	250
F	390	385	375	375	360	345	315	310	300	350	300	300	295	295	270	250
G	390	380	365	365	350	340	315	310	300	350	300	300	290	285	265	245
H	385	380	365	365	350	340	315	300	285	345	290	290	285	285	265	245
I	380	375	365	365	350	340	310	295	275	345	290	290	285	285	265	245
J	370	365	355	355	350	340	310	290	275	345	290	290	285	285	265	245
K	365	355	350	350	325	325	310	290	275	345	290	290	285	285	265	245
L	365	355	350	350	325	320	310	290	275	345	290	290	285	285	265	245
M	365	355	350	350	325	320	310	290	275	345	290	290	285	285	265	245
N	365	355	350	350	325	320	310	290	275	345	290	290	285	285	265	245
O	360	345	330	330	315	305	295	275	265	345	290	290	285	285	265	245
P	335	330	325	325	310	305	295	275	265	345	290	290	285	285	265	245
Q	335	330	325	325	310	305	295	275	265	345	290	290	285	285	265	245
R	335	330	325	325	310	305	295	275	265	345	290	290	285	285	265	245
S	335	330	325	325	310	305	295	275	265	345	290	290	285	285	265	245

Straight run of mine. (This Size Group No. 7 applies to low volatile coals only when at least the following percentages of screenings will pass through a $\frac{3}{4}$ " roundhole screen—applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 7 and minimum percentage of $\frac{3}{4}$ " x 0:

A B C D
60% 55% 60% 60%

Where less than the minimum percentage of screenings remains, the coal shall be priced the same as Size Group No. 6 or Size Group No. 1, depending upon the amount of screenings remaining). Altered run of mine (Straight run of mine from which any intermediate size has been removed but no coal smaller than $\frac{3}{8}$ " shall be removed).

Resultant run of mine larger than $2\frac{3}{4}$ " x 0. Altered resultant run of mine. (Straight resultant run of mine larger than $2\frac{3}{4}$ " x 0 from which any intermediate size has been removed but no coal smaller than $\frac{3}{8}$ " shall be removed).

Altered screenings. (Screenings with top size not exceeding $2\frac{3}{4}$ " from which all of the $1\frac{1}{4}$ " to $1\frac{1}{2}$ " top size and $\frac{1}{8}$ " to $\frac{3}{8}$ " bottom coal has been removed).

Screenings top size larger than $1\frac{1}{4}$ " x 0 but not exceeding $2\frac{3}{4}$ " x 0.

8. Screenings larger than $\frac{3}{4}$ " x 0 but not exceeding $1\frac{1}{4}$ " x 0.

9. Screenings larger than $\frac{3}{8}$ " x 0 but not exceeding $\frac{3}{4}$ " x 0.

10. Screenings $\frac{3}{8}$ " x 0 and smaller.

DISTRICT NO. 7—HIGH VOLATILE COALS

(6) *Maximum prices in cents per net ton for high volatile coals for shipment to all destinations, for all uses and by all methods of transportation except as otherwise specifically provided for in this appendix.* The Price classifications and Size Group Numbers 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications as set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and, for maximum price purposes, are for shipments to all destinations.

(7) Maximum prices in cents per net ton for high volatile coals for shipments by truck or wagon to all destinations, for all uses.

PRICES AND SIZE GROUP NUMBERS

	1	2	3	4	5	6
	All single-screened lump coals bottom size $3\frac{1}{4}$ " and larger. All double-screened stove and egg coals top size larger than $1\frac{1}{4}$ "	All double-screened nut and pea coals top size not exceeding $1\frac{1}{4}$ "	Screened mine run from which no coal larger than $3\frac{1}{4}$ " x 0 has been removed and all forked coal	Straight mine run, no fines removed, resultants and screenings larger than $1\frac{1}{4}$ " x 0	Screenings larger than $3\frac{1}{4}$ " x 0 but not exceeding $1\frac{1}{4}$ " x 0	Screenings top size not exceeding $3\frac{1}{4}$ "
For coals produced at any high volatile mine.....	425	360	300	200	275	270

(8) Maximum prices in cents per net ton for high volatile coals for railroad locomotive fuel. (i) Any single-screened lump or double-screened coals—315.

Run of mine—300.

Resultant run of mine larger than $2\frac{1}{2}$ " x 0 but not exceeding 6 " x 0—280.

Screenings $2\frac{1}{2}$ " x 0 and smaller—275.

(ii) Mines within Freight Origin Groups 16 and 70 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a $2\frac{3}{4}$ " round hold screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of August 5, 1944, for all mines and as re-determined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a $2\frac{3}{4}$ " round hold screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus $2\frac{3}{4}$ inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced. *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines' maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.218 (b) (8) (ii) of Maximum Price Regulation No. 120.

(9) Specific description of size group numbers referred to in subparagraph (c) of this paragraph (b).

Size group number and description

1. All single-screened block, bottom size larger than 5".

2. All single-screened lump, bottom size larger than 3", but not exceeding 5".

All double-screened egg coals, top sizes larger than 6" and bottom size larger than 3", but not exceeding 4".

All double-screened coals, top size 5" and larger, and bottom size larger than 4".

3. All single-screened lump, bottom size larger than 2", but not exceeding 3".

All double-screened egg coals, top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4".

4. All single-screened lump, bottom size larger than $3\frac{1}{4}$ ", but not exceeding 2".

All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".

5. All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.

6. All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3".

7. All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.

8. All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller.

9. All double-screened nut coals, top size larger than $1\frac{1}{4}$ ", but not exceeding 2", and bottom size smaller than 2".

10. All double-screened stoker coals, top size not exceeding $1\frac{1}{4}$ ", and bottom size less than $1\frac{1}{4}$ ".

15. Screen run of mine, bottom size $3\frac{1}{4}$ " or smaller.

16. Straight run of mine.

Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than $3\frac{1}{2}$ " shall be removed).

Resultant run of mine larger than 6" x 0.

Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than $3\frac{1}{2}$ " shall be removed).

17. Straight resultant run of mine (larger than $2\frac{3}{4}$ " x 0, but not exceeding 6" x 0).

Altered resultant run of mine (straight resultant run of mine larger than $2\frac{3}{4}$ " x 0, but not exceeding 6" x 0 from which any in-

termediate size has been removed, but no coal smaller than $3\frac{1}{2}$ " shall be removed).

18. Dedusted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh.

Modified screenings (top size not exceeding 2" total consist containing not less than 15% $3\frac{1}{2}$ " x 0 screenings).

19. Screenings larger than 2" x 0, but not exceeding $2\frac{3}{4}$ " x 0.

20. Screenings larger than $3\frac{1}{4}$ " x 0, but not exceeding 2" x 0.

21. Screenings larger than $3\frac{3}{8}$ " x 0, but not exceeding $3\frac{1}{2}$ " x 0.

Altered screenings (top size not exceeding $2\frac{3}{4}$ " from which all of the 1" to $1\frac{1}{4}$ " top and $\frac{1}{2}$ " to $3\frac{1}{2}$ " bottom coal has been removed).

22. Screenings $3\frac{1}{2}$ " x 0 and smaller.

23. Low grade reject; separated at the tipple or loaded separately in the mine.

(10) All orders of adjustment issued prior to August 5, 1944 and adjustments computed on OPA Form No. 653-638 under § 1340.207 (e) (added by Amendment No. 74 to this regulation) shall be void as of August 5, 1944.

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

This amendment shall become effective August 5, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11428; Filed, July 31, 1944; 11:42 a. m.]

PART 1340—FUEL

[MPR 120; Amdt. 113]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 120 is amended in the following respect:

Section 1340.222 is amended to read as follows:

§ 1340.222 *Appendix K: Maximum prices for bituminous coal produced in District No. 11.* (a) The maximum prices set forth in paragraph (b) of this

section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices for shipment to all destinations for all uses except for railroad locomotive fuel use and by all methods of transportation, except by truck or wagon.*

Prices and size group numbers

Price group number	Lump, egg, stove M/R			Nut and pea		Screenings				Carbon				Dust,	Breaker screenings	
	Washed or Raw		Washed or raw	Raw	Washed or air cleaned	Raw	Washed or air cleaned	Dry de-dusted	Water de-dusted	Raw	Washed or air cleaned	Dry de-dusted	Water de-dusted	Raw	Raw	Washed or air cleaned
	1, 2, 3	4, 5, 6, 8	7	9 to 12, incl.	17 to 22	13, 14	23, 24	26, 27	30, 31	15	25	28, 29	32	10	33	34
1.....	240	240	200	215	230	175	205	190	195	135	170	155	160	105	155	195
2 to 4, incl.....	240	240	200	215	230	175	200	180	195	135	170	155	160	105	155	195
5.....	240	240	200	215	230	180	210	195	200	140	175	160	165	110	160	200
6 to 12, incl.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
7, 18 and 19.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
8, 13 and 20.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
9.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
10.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
11.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
12.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
13.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
14.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
15.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
16.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
17.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
18.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
19.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
20.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
21.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
22.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
23.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
24.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
25.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
26.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
27.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
28.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
29.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
30.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
31.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
32.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
33.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
34.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
Exceptions:																
Mine Index No. 53 (PG17).....	385	365	355	335	360	200	225	215	220	160	195	180	185	120	160	230
Mine Index No. 70 (PG13).....	300	275	250	255	270	250	275	265	270	180	215	200	205	160	160	230
Mine Index No. 115 (PG10).....	255	240	210	235	250	175	200	190	195	130	165	160	165	110	155	195

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

Prices and size group numbers—Continued

Price group number	Lump, egg, stove M/R			Nut and pea		Screenings				Carbon				Dust,	Breaker screenings	
	Washed or Raw		Washed or raw	Raw	Washed or air cleaned	Raw	Washed or air cleaned	Dry de-dusted	Water de-dusted	Raw	Washed or air cleaned	Dry de-dusted	Water de-dusted	Raw	Raw	Washed or air cleaned
	1, 2, 3	4, 5, 6, 8	7	9 to 12, incl.	17 to 22	13, 14	23, 24	26, 27	30, 31	15	25	28, 29	32	10	33	34
1.....	370	325	280	260	275	230	255	245	250	155	190	175	180	125	160	230
2.....	320	305	255	245	260	225	250	240	245	160	195	180	185	130	160	230
3.....	345	325	280	260	275	240	265	255	260	185	220	205	210	155	210	270
4.....	310	290	245	240	255	210	235	225	230	145	180	165	170	115	160	230
5.....	345	300	255	245	260	210	235	225	230	145	180	165	170	115	160	230
6.....	335	315	280	250	265	230	255	245	250	155	190	175	180	125	160	230
Exceptions:																
Mine Index No. 27 ¹	400	385	335	325	340	295	320	310	315	240	275	260	265	210	270	310
Mine Index Nos. 39, 40 and 107.....	385	345	295	260	275	240	265	255	260	185	220	205	210	155	205	245
Mine Index No. 47.....	355	330	290	255	270	235	260	250	255	175	210	195	200	145	200	240
Mine Index No. 478.....	400	340	305	275	290	245	270	260	265	170	210	195	200	140	200	240

¹ The exception for Mine Index No. 27 shall be void on and after January 1, 1945 and the maximum prices for Price Group No. 6 will apply thereafter.

(3) *Maximum prices for railroad fuel.* (i) The maximum prices for railroad locomotive fuel use are:

Mine Run, modified mine run and all lump and all double-screened coals 240
 Screenings, top size not exceeding 2" 185
 The maximum prices for coals shipped from Mine Index No. 70 for such use shall be the above respective prices, plus 20 cents per net ton.

(ii) Modified mine run shipped for railroad locomotive fuel use shall contain 15%, with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1 1/4" in diameter, or other shaped openings equivalent in area (1 1/4" screenings), and large lumps may be broken down; or modified mine run may be 6" x 1 1/4" egg coal with 15%, with a tolerance of 2% up or down, of 1 1/4" screenings, as described above.

(iii) The maximum prices for coal sold to railroads for other than locomotive fuel use are those set forth in paragraph (b) (1) for the size and grade shipped.

(iv) An amount not exceeding 15 cents per net ton may be added to the maximum prices for railroad locomotive fuel use when railroad locomotives are coaled at the mine tippie.

(4) The maximum prices for coals produced at mine which is either (i) an underground mine loading coal entirely by hand without the aid of any mechanical means, such as loading machines or

conveyors inside the mine, or (ii) an underground truck mine without a rail siding or connection, shall be the specific prices for the grade and size and use of coal shipped as set forth in this paragraph (b), plus 15 cents per net ton.

(5) *Identification by counties and seams of mines in the truck price group numbers specified in subparagraph (2) above.* Following is a table of counties, seams and price group numbers. A seller of coal produced at a mine from any of these seams shall first determine the price group number applicable to the mine as indicated in this table. He shall

*Copies may be obtained from the Office of Price Administration.

then use the maximum price applicable to the mines in the same price group number as set forth in subparagraph (2) unless otherwise specifically provided therein. The same shall be true of any mine classified as to seam by the Office of Price Administration by an order issued prior to, or after August 5, 1944, under § 1340.210 (a) (6) of this regulation. The seams referred to below are the same as those set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

County	Seam	Truck price group No.
Clay	Brazil Block, Minshall and Semi-Brazil Block Veins.	1
	Fifth Vein	2
	Fourth Vein	3
	Third Vein	4
Davies	Fifth Vein	2
	Semi-Brazil Block, Fourth and Canoe Veins.	3
DuBois	All veins	2
Fountain	All veins	1
Gibson	All veins (except Mine Index No. 47).	2
Greene	Semi-Brazil Block Vein	6
	Fifth and Seventh Veins	2
	Fourth Vein	3
	Third Vein	4
	Sixth Vein	5
Knox	Fifth, Sixth (excluding Mine Index No. 117) and Seventh Veins.	2
	Mine Index No. 117 only	5
Martin	Brazil Block Vein	1
	Fourth, Fifth and Seventh Veins.	3
Owen	All veins	1
Parke	Brazil Block, Semi-Brazil Block and Minshall Veins.	1
	Fifth Vein	2
	Third Vein	4
Perry	All veins	2
Pike	All veins	2
Spencer	Brazil Block Vein	1
	Fifth and Sixth Veins	2
Sullivan	Fifth, Seventh Veins (except Mine Index Nos. 39, 40, and 107).	2
	Fourth Vein	3
	Sixth Vein	5
	All veins	3
Vanderburgh	Brazil Block and Minshall Veins	1
Vermillion	Fifth Vein	2
	Fourth Vein	3
	Sixth Vein	4
Vigo	Brazil Block and Minshall Veins	1
	Fifth, Sixth and Seventh Veins, and Mine Index No. 90 in the Third Vein	2
	Third Vein (except Mine Index No. 90)	4
	Fourth Vein	3
Warren	All veins	1
Warrick	All veins	2

(6) *Specific descriptions of size group numbers referred to in subparagraphs (1) and (2) of this paragraph.*

Size Group No.	Description
1, 2, 3	All lump and egg coals bottom size larger than 2" washed or raw.
4, 5, 6 and 8	All lump, egg and stove coals, bottom size 2" and smaller, washed or raw.
7	Straight mine run, modified mine run and resultants larger than 2" by 0, washed or raw.
9 to 12, incl.	Raw nut and pea coal bottom size larger than 10 mesh or 3/4" and top size not exceeding 2".
13, 14	Raw screenings larger than 3/4" by 0 but not exceeding 2" by 0.
15	Raw carbon 3/4" by 0 and smaller.
16	Raw dust top size not exceeding 10 mesh or 3/4".

No. 152—13

Size Group No.	Description
33	Raw breaker screenings top size not exceeding 2".
17 to 22, incl.	Nut and pea coal, washed or air-cleaned, bottom size larger than one millimeter top size not exceeding 2".
23, 24	Screenings top size not exceeding 2": Washed or air-cleaned.
25, 27	Dry dedusted.
30, 31	Water dedusted.
25	Carbon top size not exceeding 3/4": Washed or air-cleaned.
28, 29	Dry dedusted.
32	Water dedusted.
34	Washed or air-cleaned breaker screenings top size not exceeding 2".

(7) Orders of adjustment and adjustments computed on Form OPA No. 653:638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation shall be void as follows: Where such orders or adjustments affect maximum prices for rail shipment, and were issued or computed prior to March 27, 1944, they shall be void as of March 27, 1944; where they affect maximum prices for truck shipments, and were issued or computed prior to August 5, 1944, they shall be void as of August 5, 1944 and, specifically, Order No. 766 shall be void as of this last date.

This amendment shall be come effective August 5, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11425; Filed, July 31, 1944; 11:41 a. m.]

PART 1358—TOBACCO [MPR 549]

FLUE-CURED TOBACCO OF THE 1944 CROP

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

ARTICLE I—EXPLANATION OF THE REGULATION

Sec.

1. Explanation of the regulation.
2. General definitions.

ARTICLE II—PRICING PROVISIONS

3. Maximum prices for purchases of flue-cured tobacco on loose-leaf markets.
4. Maximum prices for sales of flue-cured tobacco by dealers.

ARTICLE III—MISCELLANEOUS PROVISIONS

5. Reports.
6. Records.
7. Compliance with this regulation.
8. Geographical applicability.
9. Export sales.
10. Petitions for amendment.

AUTHORITY: Secs. 1 to 10, inclusive (§ 1353-260) issued under 58 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 8259, 7 FR. 7871; E.O. 9328, 8 FR. 4631.

ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *Explanation of the regulation.* The purpose of this regulation is to establish maximum prices for sales

*Copies may be obtained from the Office of Price Administration.

and purchases of, and for certain services performed with respect to, flue-cured tobacco of the 1944 crop. This regulation fixes maximum prices which may be paid to growers and paid or received by dealers, manufacturers and other purchasers and sellers of that tobacco. Specific dollar and cents maximum prices are fixed for certain services performed by dealers for purchasers. The maximum prices and pricing methods are stated in sections 3 and 4.

Sec. 2. *General definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

(2) "Flue-cured tobacco" means United States Types 11a, 11b, 12, 13 and 14 tobacco as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture. When used without specific reference to a particular year's crop, the term refers to that tobacco of the 1944 crop; when used with specific reference to one or more years' crops, the term refers to that tobacco of the specified years' crops.

(3) "Weighted average purchase price" means the total of prices actually paid in purchases on the loose-leaf market or otherwise, plus discounts allowed the purchaser for prompt payment and transportation charges paid by him, divided by the number of pounds of tobacco purchased. Prices actually paid shall include all commissions, fees or other compensation paid by or for the purchaser to a person at the seller's instance or request.

(4) "Weighted average selling price" means the gross dollar and cents amount the seller charged for the tobacco (excluding transportation charges paid by the seller for the account of the purchaser), divided by the number of pounds of tobacco sold. The gross dollar and cents amount charged shall include all commissions, fees or other compensation paid by or for the purchaser to a person at the seller's instance or request.

(5) "Farm scrap" means loose, tangled, untied and unstemmed tobacco salvaged as a by-product in harvesting, stripping, classing or tying on the farm, consisting principally of barn and strip-house floor sweepings and inferior quality leaves discarded by growers for auction marketing purposes because of being broken, burnt, worm-eaten, or diseased.

(6) "Auction scrap" means loose, untied and unstemmed tobacco consisting entirely of auction floor sweepings, loose and tangled leaves, or portions of leaves, accumulated from droppings or breakage in handling of tobacco on auction warehouse floors and salvaged as a by-product of auction marketing. The term does not include tobacco purchased at auction or directly or indirectly from growers.

(7) "Drop leaves" refers to tobacco leaves, including broken leaves and scrap, resulting from the handling of tobacco in transit or while in receiving rooms, hanging rooms, packing rooms or green storage (but not on the auction warehouse floor or farm) which is not customarily processed with the grade being handled.

(8) "Dealer" means any person engaged in the business of buying flue-cured tobacco of any year's crop on the loose-leaf market or otherwise, for his own account or on direct order.

(b) Unless the context otherwise requires, the definitions in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

ARTICLE II—PRICING PROVISIONS

SEC. 3. *Maximum prices for purchases of flue-cured tobacco on loose-leaf markets*—(a) *In general.* The weighted average purchase price paid by any buyer for flue-cured tobacco on the loose-leaf markets shall not exceed:

\$39.00 per cwt., green weight, for untied loose-leaf tobacco.

\$43.50 per cwt., green weight, for tied loose-leaf tobacco.

\$5.00 per cwt., green weight, for farm scrap tobacco.

In figuring a weighted average purchase price, purchases on direct order shall be deemed purchases by the buyer for whose ultimate account the tobacco is intended. Amounts paid for farm scrap and auction scrap tobacco shall not be used in figuring a weighted average purchase price for untied or tied loose-leaf tobacco.

NOTE: All buyers are warned that in paying more than \$39.00 per cwt., green weight, for untied loose-leaf tobacco or \$43.50 per cwt., green weight, for tied loose-leaf tobacco, they take the risk of violating this regulation, since inability to buy tobacco at lower prices in order to reduce their weighted average purchase prices will not constitute a defense.

(b) *Purchases not covered.* If a buyer makes a purchase of flue-cured tobacco for resale in substantially the same form on the loose-leaf market and the tobacco is so resold, his purchase is not covered by this regulation and shall not be included in computing his weighted average purchase price.

SEC. 4. *Maximum prices for sales of flue-cured tobacco by dealers.* As used in this section, "dried in the hogshead cost" means the total of the lawful amounts paid for green tobacco, costs of transporting it, and direct costs of handling and redrying. The term does not include charges for warehousing or storage. Elements of "dried in the hogshead cost" shall be figured in accordance with the dealer's customary accounting practices and in a consistent manner (e.g., if an element of cost is used in figuring "dried in the hogshead cost" of flue-cured tobacco of the 1944 crop, the same element of cost shall be used in determining the corresponding figure for tobacco of another crop year, etc.).

(a) *For tobacco purchased on loose-leaf markets other than on direct order*—(1) *Sales to manufacturers.* A dealer's

maximum price to manufacturers for a sale of flue-cured tobacco purchased by him on the loose-leaf markets other than on direct order shall be an amount figured as follows:

(i) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold unstemmed to manufacturers up to and including June 30, 1942, by dividing his total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(ii) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold stemmed to manufacturers up to and including June 30, 1942 by dividing his total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(iii) The dealer shall ascertain his weighted average selling price per pound for his sales of unstemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to manufacturers up to and including June 30, 1942 by dividing his total selling price for unstemmed tobacco of those crops by the number of pounds, dried weight, of unstemmed tobacco of those crops he sold to manufacturers.

(iv) The dealer shall ascertain his weighted average selling price per pound for his sales of stemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to manufacturers up to and including June 30, 1942 by dividing his total selling price of stemmed tobacco of those crops by the number of pounds, dried weight, of stemmed tobacco of those crops he sold to manufacturers.

(v) The dealer shall then ascertain his markup factor for sales of unstemmed tobacco to manufacturer by dividing the resulting figure at (iii) by the resulting figure at (i), and his markup factor for sales of stemmed tobacco by dividing the resulting figure at (iv) by the resulting figure at (ii).

(vi) The dealer shall then multiply his dried in the hogshead cost, per pound, dried weight, of the flue-cured tobacco being priced by the appropriate markup factor obtained at (v) according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The resulting figure is the dealer's maximum price per pound to manufacturers.

(vii) The dealer may then add to his maximum price determined in (vi) above, the following:

(a) The actual amount of commission paid by the dealer to a tobacco broker doing business as such on or before June 30, 1944 for the broker's services in negotiating the sale of the tobacco to a manufacturer, but not in excess of 3% of the selling price.

(b) A charge for warehousing and carrying not in excess of 1% of his dried in the hogshead cost per pound, redried weight, for each full month beginning six months after the tobacco redried in hogsheads has been placed in storage.

(2) *Sales to dealers.* A dealer's maximum price for sales to dealers of flue-cured tobacco purchased by him on the

loose-leaf markets other than on direct order shall be an amount figured as follows:

(i) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold unstemmed to dealers up to and including June 30, 1942, by dividing the total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(ii) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold stemmed to dealers up to and including June 30, 1942, by dividing the total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(iii) The dealer shall ascertain his weighted average selling price per pound for his sales of unstemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to dealers up to and including June 30, 1942 by dividing his total selling price for unstemmed tobacco of those crops by the number of pounds of unstemmed tobacco of those crops he sold to dealers.

(iv) The dealer shall ascertain his weighted average selling price per pound for his sales of stemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to dealers up to and including June 30, 1942 by dividing his total selling price for stemmed tobacco of those crops by the number of pounds of stemmed tobacco of those crops he sold to dealers.

(v) The dealer shall then ascertain his markup factor for sales of unstemmed tobacco to dealers by dividing the resulting figure at (iii) by the resulting figure at (i) and his markup factor for sales of stemmed tobacco by dividing the resulting figure at (iv) by the resulting figure at (ii).

(vi) The dealer shall then multiply his dried in the hogshead cost per pound to the flue-cured tobacco being priced by the appropriate markup factor obtained at (v) according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The resulting figure is the dealer's maximum price per pound to dealers.

(vii) The dealer may then add to his maximum price determined in (vi) above, a charge for warehousing and carrying not in excess of 1% of his dried in the hogshead cost per pound, redried weight, for each full month beginning six months after the tobacco redried in hogshead has been placed in storage.

(b) *For tobacco purchased on loose-leaf markets on direct order*—(1) *Dealer's charges.* A dealer who purchases flue-cured tobacco on the loose-leaf markets on direct order may charge for services rendered in connection with the tobacco purchased, but not in excess of the following amounts:

Services	Maximum charge per 100 pounds green weight
Buying at auction	\$0.50
Buying and sheeting (when dealer furnishes sheets)	.00
Buying and sheeting (when dealer does not furnish sheets)	.80
Buying and green prizing	1.05

Services	Maximum charge per 100 pounds redried weight
Redrying only.....	\$2.50
Buying and redrying.....	3.00
Stemming only and redrying.....	6.50
Buying, stemming and redrying.....	7.00
Hand-stemming.....	7.50
Stemming loose leaves, drop leaves or scrap.....	7.50
Buying and hand-stemming.....	8.00
Buying and stemming loose leaves, drop leaves or scrap.....	8.00
Buying, handling and redrying farm scrap.....	3.50

NOTE: Redrying services include packing and cost of hoghead or other packing material. However, a premium of 50 cents per cwt. may be charged when the tobacco is packed in cases.

"Purchase on direct order" means a purchase made in conformity with an agreement to buy for a principal either in the principal's name or for his account.

(2) *Dealer's charge for supervisory services on direct order purchase.* A dealer performing supervisory services in the purchase on direct order of flue-cured tobacco for a particular buyer may charge a fee for such services, but not to exceed the highest customary fee charged by the dealer to the particular buyer for the same services performed with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent. If the dealer performed no supervisory services for the buyer with respect to purchases on direct order of the 1942 or 1941 year's crop of that type of tobacco, the fee charged by the dealer for such supervisory services shall not exceed the highest customary fee charged therefor by the dealer with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent, to other buyers of the same class. A dealer who performed no supervisory services for the particular buyer or for other buyers of the same class with respect to purchases on direct order of the 1942 or 1941 year's crop, shall apply by letter to the Office of Price Administration, Tobacco Section, Washington, D. C. for authorization to charge a fee for such services based on the fee charged by his most closely competitive dealer of the same class.

"Supervisory services" means services involving responsibility for establishment of proper grade standards, correlation of grading between the several markets, selection of markets affording the greatest abundance of suitable flue-cured tobacco, decisions as to the rate of buying from week to week and guiding purchases through frequent visits to the several markets.

(c) *For resales of redried tobacco.* (1) A dealer's maximum price for his sales of redried flue-cured tobacco purchased by him in redried form from its buyer on the loose-leaf market shall be an amount figured as follows:

(i) The dealer shall ascertain his weighted average purchase price for the redried flue-cured tobacco of the 1937, 1938, 1939, 1940, and 1941 crops he sold up to and including June 30, 1942 and his weighted average selling price of that tobacco.

(ii) The dealer shall ascertain his markup factor by dividing that weighted average selling price by that weighted average purchase price.

(iii) The dealer shall then multiply his purchase price for the redried tobacco being priced by the percentage obtained at (ii). The resulting figure is the dealer's maximum price, except that the dealer may add a charge for warehousing and carrying not in excess of 1% of his purchase price per pound, redried weight, of tobacco being priced for each full month beginning six months after that tobacco has been placed in storage by him.

(2) A dealer's maximum price for his sales of redried flue-cured tobacco previously owned in redried form by two or more dealers shall not exceed his purchase price for the tobacco being priced.

(d) *Certification by dealers.* On and after August 4, 1944 any dealer selling redried flue-cured tobacco shall place upon the invoice or other evidence of sale given by him to the purchaser a complete, correct and signed statement as follows:

The flue-cured tobacco covered by this invoice (if other evidence of sale is used, specify) in redried condition has been owned by (specify number) persons previous to this sale. The price charged for this tobacco does not exceed our maximum price under MPR No. 549 issued by the Office of Price Administration. The Office of Price Administration requires you to keep this statement for examination.

Seller.

(e) *Dealers unable otherwise to determine maximum prices.* If a dealer is unable to determine his maximum price for a particular sale of flue-cured tobacco under other provisions of this section, he shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a maximum price or a method of determining a maximum price for that sale shall be established. The letter shall set forth:

(1) The name and address of the dealer making the application.

(2) A description sufficient to identify the tobacco he wishes to sell including a statement of the manner in which he has acquired it, its location, the number of its former owners, the purchase price he paid for it and the quantity of tobacco to be priced.

(3) The reason why he is unable to determine the maximum price under other provisions of this section.

(4) The name and address of the persons to whom he desires to sell the tobacco.

(5) Any other pertinent information which the dealer desires to submit.

After receipt of the letter, the Office of Price Administration will by order establish a maximum price in line with maximum prices established under this section for similar sales of other dealers or prescribe a method for determining a maximum price. Until a maximum price or a method for determining it is thus established, the dealer may deliver the tobacco but may not receive payment for it.

ARTICLE III—MISCELLANEOUS PROVISIONS

Sec. 5. *Reports.* (a) Not later than August 21, 1944, every dealer shall report by letter to the Office of Price Administration, Washington, D. C., the markup factors computed by him before that date to be used in determining his maximum prices under section 4. If the original report omits markup factors which the dealer thereafter computes, those new markup factors shall likewise be reported within ten days after computation.

(b) Within thirty days after the close of the marketing season, but in any event before February 1, 1945, every buyer of flue-cured tobacco shall file with the Office of Price Administration, Washington, D. C., a statement showing the following:

(1) The total amount of untied loose-leaf flue-cured tobacco in pounds, green weight, purchased by him and the total amount paid for it.

(2) The total amount of tied loose-leaf flue-cured tobacco in pounds, green weight, purchased by him and the total amount paid for it.

(3) The total amount of farm scrap tobacco in pounds, green weight, purchased by him and the total amount paid for it.

Sec. 6. *Records.* (a) Every buyer of flue-cured tobacco shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing with respect to each purchase of such tobacco:

(1) The name of the seller and the date of purchase

(2) The total number of pounds purchased

(3) The purchase price paid, and

(4) Any other records of the same kind that he has customarily kept relating to the prices he pays for flue-cured tobacco after the effective date of this regulation.

(b) Every dealer for whose sales of flue-cured tobacco maximum prices or a method of determining maximum prices are prescribed by this regulation must make and keep available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept showing the prices he charges for, and the persons to whom he sells, that tobacco, and the manner in which those prices were computed.

Sec. 7. *Compliance with this regulation—*(a) *No buying or selling above maximum prices.* On and after July 23, 1944 regardless of any contract, lease or other obligation, no dealer or other purchaser in the course of trade or business shall buy or receive, or agree, offer, solicit or attempt to buy or receive, and no person for whose sales of flue-cured tobacco maximum prices are established by this regulation, shall sell or deliver, or agree, offer, solicit or attempt to sell or deliver any flue-cured tobacco at prices higher than the appropriate maximum price established by this regulation. However, lower prices may be charged, paid, offered and received.

(b) *Evasion*—(1) *In general.* The price limitations in this regulation shall not be evaded, directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; or by tying agreement, by any change in manner of packing, any business practice or trade understanding, or in any other way.

(2) *Specific practices which are evasions.* Specifically, but not exclusively, the following practices are evasions:

(i) In the case of a dealer, reduction or elimination by the dealer of his customary discounts or initial credit terms allowed on his most recent sales of the 1937, 1938, 1939, 1940 and 1941 crops to the same purchaser, or if he made no sales of the 1937, 1938, 1939, 1940 or 1941 crops to the purchaser, reduction or elimination of his customary discounts or initial credit terms allowed on his most recent sales of the 1937, 1938, 1939, 1940 or 1941 crop to purchasers of the same class, except where accompanied by a compensating reduction in his maximum price.

"Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by the dealer and buyer at or prior to delivery of the tobacco.

(c) *Penalties for violations.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,¹ licensing all persons who make sales under price control, apply to all sellers (except growers) of flue-cured tobacco. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 8. *Geographical applicability.* The provisions of this regulation are applicable in the forty-eight states of the United States and the District of Columbia.

SEC. 9. *Export sales.* The maximum price at which a person may export flue-cured tobacco shall be determined in accordance with the Second Revised Maximum Export Regulation,² issued by the Office of Price Administration.

SEC. 10. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,³ issued by the Office of Price Administration.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective July 28, 1944.

Issued this 28th day of July 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: July 24, 1944.

MARVIN JONES,
War Food Administrator.

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the level of the maximum prices established by this regulation is necessary to aid in the effective prosecution of the war and hereby authorize its issuance.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-11293; Filed, July 28, 1944;
4:32 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,¹ Amdt. 39]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.122 is amended by deleting the second sentence and inserting in place thereof the following: "He must also for a period of two years retain at his principal business office all statements received under § 1407.182a (b)."

2. Section 1407.122a is added to read as follows:

§ 1407.122a *Reports of primary distributors.* Each primary distributor who delivers sugar to the Army, Navy, or any of the persons or agencies listed in §§ 1407.182 (a) or 1407.183 (c) or for

ships' or planes' stores in accordance with § 1407.182a (b) must, on or before the 10th day of each month, report in writing to the Washington Office of the Office of Price Administration all such deliveries made during the preceding month. The report for August 1944 shall include all deliveries to the Army or Navy or to the persons or agencies listed in §§ 1407.182 (a) or 1407.183 (c) made prior to August 1944 not reported to the District Office prior to August 4, 1944.

3. Section 1407.182a (b), is amended by inserting in the second sentence between the words "registering unit" and "may" the words "or primary distributor".

This amendment shall become effective August 4, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11426; Filed, July 31, 1944;
11:41 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [RMPR 183,² Amdt. 46]

GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 20 Table 3 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Marraschino Cherries—S & W.....	Case 48/6½ oz. glass.....	\$11.20	\$0.30
Fruit Cocktail:			
Stokely.....	Case 24/ # 2½ tin.....	8.00	.42
Fame.....	Case 48/ # 1 Tall.....	9.00	.21
Peaches, Yellow Cling, halves: Stokely.....	Case 24/ # 2½ tin.....	0.45	.35
Peaches, Yellow Cling, sliced:			
Ruby.....	Case 24/ # 2½ tin.....	6.10	.33
Stokely.....	Case 24/ # 2½ tin.....	6.45	.35
Exquisite.....	Case 24/ # 2½ tin.....	6.65	.39

2. Section 20 Table 3a is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Orange marmalade, S & W.....	Case 12/16 oz. jars.....	\$2.75	\$0.20

3. Section 21 Table 4 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Orange juice:			
Sunfilled.....	Case 24/ # 2 tin.....	\$4.75	\$0.25
Golden Nip.....	Case 21/18 oz. tin.....	4.75	.25

*Copies may be obtained from the Office of Price Administration.

¹9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3518, 3579, 3847, 3944, 4090.

²8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12532, 13165, 13847, 14090, 14765, 15195.

¹8 F.R. 13240

²8 F.R. 4132, 5987, 7662, 9998, 15193.

³8 F.R. 3313, 3533, 6173, 11806.

4. Section 22 Table 6a is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Chili con Carne: Wilson's Certified.	Case 24/10 oz. jars.	\$4.20	\$0.22
Lean Saus: Wilson's Certified.	Case 24/8 oz. jars.	7.20	.37
Ox Tongue:			
Wilson's Certified.	Case 12/10 oz. jars.	7.20	.75
Wilson's Certified.	Case 12/12 oz. jars.	7.50	.78
Wilson's Certified.	Case 12/10 oz. jars.	9.60	1.00
Wilson's Certified.	Case 12/12 oz. jars.	12.80	1.30
Sliced Dried Beef: Wilson's Certified.	Case 24/2 oz. jars.	3.30	.17
Selected Pig's Feet:			
Wilson's Certified.	Case 12/14 oz. jars.	2.55	.20
Wilson's Certified.	Case 12/23 oz. jars.	4.25	.44
Wilson's Certified.	Case 24/12 (10 oz.)	6.00	.34
Corned Beef Hash: Libby's.		Pound	Pound
Canned Ham, boned, skinless, boneless, and fattened: Serv-Kwik.		.60	.83

5. Section 23 Table 7 is amended by adding a new item to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Soups: Noodle, and Chicken: Wilson's Certified.	Caso 12/16 oz. jars.	\$4.45	\$0.46
	Sauce: Pardo.		
	Caso 49/10 oz. tin.	\$3.60	\$0.10

7. Section 24 Table 9 is amended by adding new items to read as follows:

Item and brand names	Unit	Price at wholesale	Retail price (per unit)
Tomato Juice: Chovy Chaco.	Caso 49/1 Tail tin.	\$5.55	\$0.15
Chovy Chaco.	Caso 24/2 tin.	3.55	.10

3. Section 25 Table 10 is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Asparagus, blended: Hunt's Supreme.	24/23 rd. tin.	\$3.00	\$0.43
Asparagus, large all green: Roffi.	24/23 tin.	10.40	.50
Beans, pint: Capa.	24/23 tin.	3.15	.17
Beans, cut: Premier.	24/23 tin.	3.40	.18
Beans, sliced fancy: Exquisite.	24/23 tin.	3.70	.20
Beans, sliced: Sweet Life.	24/23 tin.	3.70	.20
Beans, sliced: Premier.	24/23 tin.	3.70	.20
Chickpeas: Capa.	24/23 tin.	3.70	.20
Corn, whole kernel golden: Sweet Life.	24/23 tin.	4.30	.22
Pork and Beans: Premier.	24/23 tin.	3.75	.20
Lima Beans, early garden: Del Monte.	24/23 tin.	3.80	.20
Mixed Vegetables: Superfine.	24/23 tin.	3.80	.20
Stringless, beans: Ho-ma.	24/23 tin.	3.80	.20
Spaghetti, canned: Valerios.	24/10 oz. tins.	4.50	.24
Ravioli, canned: Valerios.	24/10 oz. tins.	4.75	.24

9. Section 29 Table 15 is amended by adding a new item to read as follows:

Brand	Container, type and size	Price at wholesale	Retail price (per unit)
Lay Trading Co.: Nutty Chip.	Case of 3 doz. pkg. 8 oz.	\$1.60	\$0.17

10. Section 32 Table 18a is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Vegetable Oil: Sweet Life.	Caso 24/10 oz. bottles.	\$3.30	\$0.10

14. Section 40 Table 29 is amended by adding a new item to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Grated Parmesan Cheese: Premier.	Caso 24/1 1/2 oz. pkgs.	\$2.20	\$0.11

11. Section 33a Table 19a is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Sardines in Tomato Sauce: Century.	Caso 49/1 tail.	\$0.75	\$0.18

12. Section 36 Table 21 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Soy-Soy Flour.	Caso 24/16 pkg.	\$3.35	\$0.18
Soy-Soy Flour.	Caso 12/29 pkgs.	4.65	.50

13. Section 39 Table 27 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Spaghetti: Mueller.	Caso 24/8 oz. pkgs.	\$2.50	\$0.13
Spaghetti: Maple Chief.	Caso 24/8 oz. 12 pkgs.	3.45	.37
Lido Club.	12 pkgs.	2.65	.27

15. Section 42 Table 33 is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Edible Cornstarch: Premier.	Caso 49/10 oz. pkgs.	\$3.00	\$0.11

16. Section 42 Table 33d is amended by adding a new item to read as follows:

Items and brand name	Unit	Price at wholesale	Retail price (per unit)
Table Salt: Premier.	1000 bags.	\$2.15	\$0.03 per lb., 24 lbs. for \$2.

17. Section 43 Table 33f is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Syrup: Golden Table.	24/1 1/2 bottle jars.	\$3.05	\$0.21
Crystal White.	24/1 1/2 jars.	3.05	.21
Baking Powder: Hearth Club.	6/23 tins.	3.00	.53

18. Section 42 Table 33h is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Capers:			
Cavaglieri.....	2 1/3 oz. net glass jars.	\$4.20	\$9.23
Rosomario.....	4 5/8 1/2 lid. oz. jars.....	7.60	.20
Plain Queen Olives:			
Sunbeam.....	12/10 oz. net Parg. gls.....	3.90	.42
Premier.....	12/23 oz. mason jars net.....	10.40	1.12
Libby's (p'aced).....	4 1/2 gal. gls.....	9.20	3.00
Silva.....	2 1/10 cpl. 5 1/2 oz. net.....	5.40	.26
Sweet Life.....	2 1/4 1/2 oz. net gls.....	3.55	.10
Stuffed Manzanilla Olives:			
Sunbeam.....	2 1/4 1/2 oz. cpl. net gls.....	7.45	.40
Premier.....	2 1/2 oz. net cpl. gls.....	8.05	.43
Silva.....	2 1/2 1/2 cpl. gls. net.....	5.65	.30
Procedo (thrown).....	2 1/2 cpl. 3 oz. net.....	4.50	.24
Libby (placed).....	2 1/10 cpl. 4 1/2 oz. net.....	8.90	.48
Silva.....	2 1/5 oz. net.....	6.80	.37
Stuffed Queen Olives: Libby.....	2 1/10 cpl. 6 oz. net gls.....	7.50	.39

19. Section 42 Table 33i is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Steak Sauce: Darby.....	2 1/8 oz. jars.....	\$3.60	\$9.20
Sauce: Wilson's Certified B. V.....	2 1/2 1/4 oz. jars.....	5.50	.30
Paprika: Premier.....	2 1/1 1/2 oz. tin.....	2.35	.13
Spaghetti Sauce: Chef Boyarde.....	2 1/8 oz. gls.....	2.55	.14
Pickles, Sweet: Premier 135/230 count.....	4 1/1 gal. jars.....	11.75	3.95
Pickles, Sour: Premier 135/165 count.....	4 1/1 gal. jars.....	9.10	3.05

20. Section 42 Table 33L is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Seedless Raisins: Bolack.....	4 3/15 oz. pkgs.....	\$8.00	\$9.19
Sultana Raisins: S & W.....	2 1/4 1/2 oz. pkgs.....	4.15	\$9.29
Ungraded Muscatel Raisins: Del Fino.....	25 lbs.....	3.75	\$9.10 per lb.
California Prunes: Golden Glow.....	25 lbs.....	4.25	\$9.21 per lb.
Dried Cherries: Palmdale.....	30 3/4 cases.....	15.00	\$9.70 per lb.
Fresh Dates S & W.....	2 1/8 oz. pkgs.....	10.30	\$9.68
Dried Peaches, extra fancy: S & W.....	25 lbs.....	11.35	\$9.61 per lb.
Drained Citron Peel: Premier.....	10 lbs. each.....	5.75	\$9.77 per lb.
Drained Orange Peel: Premier.....	10 lbs. each.....	4.35	\$9.59 per lb.
Figs, California: Premier.....	25 lbs.....	9.55	\$9.53 per lb.
Whole and Broken Cherries: Premier.....	30 3/4 pails.....	14.50	\$9.53 per lb.

21. Section 47. Table 39 is amended by revoking the price to wholesaler of the following items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price
Citrus:			
Crystal White.....	13 oz. container.....	\$9.63 per doz.....	\$9.97 per unit or 2 for 12.
Orange.....	13 oz. container.....	\$9.63 per doz.....	\$9.97 per unit or 2 for 12.

22. Section 56 Table 46 is amended by adding new items to read as follows:

Items and brand names	Unit—Case of—	Price at wholesale	Retail price (per unit)
Scotch Whiskey:			
Bell's Special Reserve.....	12 1/4 1/2 qts.....	\$44.00	\$5.00
American Whiskey:			
Four Roses.....	12 1/4 1/2 qts.....	32.00	3.75
Four Roses.....	2 1/2 pints.....	30.75	2.30
Paul Jones.....	12 1/4 1/2 qts.....	21.25	2.75
Paul Jones.....	2 1/2 pints.....	20.00	1.70
Champagne: Roma Gold Label.....	12 1/2 oz. bottles.....	39.00	4.85
Older: Zarachina.....	2 1/2.....	13.50	.80

23. Section 60 Table 53 is amended by adding new items to read as follows:

Description of items	Sizes	Price at wholesale (per cwt.)	Retail price (per cwt.)
Plain galvanized steel sheets.....	28" x 108" #20 Gauge.....	\$5.55	\$7.75
Plain galvanized steel sheets.....	30" x 80" #22 Gauge.....	5.45	7.65
Plain galvanized steel sheets.....	48" x 120" #22 Gauge.....	5.75	7.95
Plain galvanized steel sheets.....	27" x 96" #20 Gauge.....	5.45	7.65

This amendment shall become effective August 5, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11431; Filed, July 31, 1944;
11:43 a. m.]

1. Section 9a is added to read as follows:

Sec. 9a. *Maximum prices for commodities covered by this regulation which cannot be priced because of the seller's inability to determine his maximum price under the applicable pricing section contained in this regulation.* The maximum price for the sale of a commodity covered by this regulation for which the seller is unable to determine his maximum price under the pricing method established, or otherwise, shall be a maximum price in line with the level of maximum prices established by this regulation and shall be determined in the following manner:

Such seller shall file an application with the Office of Price Administration, Honolulu, 2, F. H. (unless otherwise directed by a uniform pricing order) for approval of a proposed maximum price for the commodity. This application shall contain:

(a) A full description of the commodity to be priced. The description should include such matters, when relevant, as model, use, manufacturer's list name or number, trade category (e. g., food, hardware, men's clothing, etc.), materials, unit in which priced, size, weight, package, brand or manufac-

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373; Amdt. 73]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

18 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10934, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14683, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1437, 1489, 1528, 1530, 2177, 2177, 2177, 2659, 2660, 3153, 3232, 3341, 3967, 3947, 3945, 4351, 4783, 4821, 4785, 4819, 5163, 5433, 5432.

turer's name, and any other pertinent information.

(b) The name and address of the manufacturer and/or supplier of the commodity.

(c) A statement of the reasons why the maximum price for such commodity can not be determined under this regulation.

(d) The method used in figuring the proposed maximum price, including a breakdown of your costs and your proposed markup.

(e) The reasons why seller believes the proposed price is in line with the maximum prices otherwise established by this regulation.

He shall also furnish any additional information which the Office of Price Administration may require.

A commodity for which a maximum price is proposed under this section may not be sold until that price has been approved by the Office of Price Administration, but the proposed price shall be deemed to be approved 15 days after mailing the application (or all additional information which may have been requested) unless, within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

The Director of the Office of Price Administration for the Territory of Hawaii may at any time approve, disapprove or revise maximum prices proposed or established under this section so as to bring them in line with the level of maximum prices otherwise established by this regulation and may either in connection therewith or otherwise, issue orders establishing maximum prices or pricing methods for sale or resale of any commodity subject to this regulation.

2. Section 19b, Table H is amended by changing the price of "Ham Hocks

less than 4 pounds)" from "35¢ per pound" to "30¢ per pound" and by adding a new item to read as follows:

Flate Corned Beef, boneless: Cents per pound

Grade AA..... 39
Grade A..... 39

3. Section 25a (b) (1) (iii) is amended to read as follows:

Maximum price
per drink:
cents

(iii) Rum:
Imported Cuban Bacardi, straight or mixed..... 45
Imported Myers' Jamaica, straight or mixed..... 45
All other Imported, straight or mixed..... 40
Domestic, straight or mixed..... 40

4. Section 25a (b) (1) (vi) is added to read as follows:

Maximum price
per drink:
cents

(vi) Neutral spirits:
Arenchabalaya Cuban Specialty with Brandy Flavoring..... 45
Domador Cuban Specialty with Brandy Flavoring..... 45

This amendment shall become effective as follows:

- As to section 9a, as of July 5, 1944.
- As to section 19b, as of June 19, 1944.
- As to section 25a, as of June 20, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. B. Doc. 44-11427; Filed, July 31, 1944; 11:41 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 74]

GROCERY ITEMS IN HAWAII

A statement of considerations involved in the issuance of this amendment, is-

sued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by deleting the two carrot items and the item "Onions, dry, F. S. C. C. Reconditioned".

2. The table following section 21 (d) (1) as amended by adding two new grapefruit sizes and one new lemon size to read as follows:

	Price at wholesale	Price at retail
Grapefruit:	Per box	
12's.....	\$2.35	\$0.55 each.
15's.....	2.35	\$0.65 each.
Lemons:		
22's.....	7.85	\$0.50 per doz.

This amendment shall become effective as of July 8, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11423; Filed, July 31, 1944; 11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 45]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In paragraph (c) of Appendix I Table 8A is added immediately following Table 8 to read as follows:

TABLE 8A.—MAXIMUM PRICES FOR ISLE OF PINES GRAPEFRUIT¹

Col. 1 Item	Col. 2 Types, variety, style of pack, etc. ²	Col. 3 Unit	Col. 4 Season	Col. 5 Maximum prices f. o. b. port of entry ³	Col. 6 Maximum prices for delivery at any wholesale receiving point in any quantity	Col. 7 Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer ⁴
1	Isle of Pines grapefruit, place packed in Standard 1½ bushel container.	Standard 1½ bushel container.	August and September.	\$4.42	Column 5 price plus freight (including 3% taxes) from Miami, Florida and plus 10¢ for protective services. ⁵	Column 6 price plus 2%.
2	Isle of Pines grapefruit in any other container, style of pack, or in bulk.	Pound.....	August and September.	\$0.09	Maximum price above divided by 72.	Column 6 price plus 3/4¢ per pound.

¹ The prices in this table apply only to grapefruit, imported from the Isle of Pines for sale within the United States, which the importer has either shipped from the port of entry or delivered to the buyer at the port of entry during August and September, which is individually wrapped in wrappers bearing the printed words "Isle of Pines Grapefruit"—"Product of Cuba", or words to the same effect. The crates or other containers must be likewise marked. If not so marked, and for all other seasons, the maximum price is the applicable price for California white grapefruit in Column 6 of Table 4 of this appendix.

All reference in this appendix to country shippers and country shipping points are applicable to importers of Isle of Pines grapefruit and ports of entry of Isle of Pines grapefruit, respectively. An "importer" is the person who makes the first sale of the goods in the United States, and the "port of entry" is the place where the goods are received from the foreign source and loaded on a carrier.

² "Standard containers" for Isle of Pines grapefruit means closed containers in which the fruit is placed packed, containing 1½ bushels.

³ The prices in Column 5 are maximum prices, f. o. b. any port of entry, loaded on carrier, and include all costs and charges up to that point.

⁴ For the sellers covered by Column 7 see general provisions of this appendix.

⁵ The amount of tax to be included shall be figured on freight and the protective service allowance.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 780, 802, 1581, 2003, 2023, 2091, 2493, 4030, 4036, 4038, 4434, 4783, 4787, 4877, 5326, 6104, 6108, 6420, 6711, 7259, 7268, 7580, 7425, 7583, 7759, 7774, 7834, 8148, 9069.

This amendment shall become effective August 1, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the prices established for Isle of Pines grapefruit are necessary as an aid to the effective prosecution of the war.

FRED M. VINSON,
Director, Office of
Economic Stabilization.

[F. R. Doc. 44-11430; Filed, July 31, 1944;
11:42 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard; Inspection and Navigation

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 161—DECK OFFICERS, PROFICIENCY IN COMMUNICATIONS

By virtue of the authority vested in me by R.S. 4405, R.S. 4462, and R.S. 4463, as amended (46 U.S.C. 375, 416, 222) and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), and finding it to be necessary for the safe navigation of vessels departing under registry during the war, the inspection and navigation regulations are amended by the addition of a new part as follows:

Sec.

- 161.1 Certificates of inspection of certain vessels deemed to include requirements of proficiency in communications.
- 161.2 Exhibition of evidence of proficiency in communications.
- 161.3 Endorsements on licenses.
- 161.4 Navy certificates of proficiency in wartime merchant ship communications.

§ 161.1 *Certificates of inspection of certain vessels deemed to include requirements of proficiency in communications.* Effective on and after January 1, 1945, and for the duration of the war, the certificate of inspection of every United States vessel departing under registry from any port of the United States, including Alaska, Hawaii, Puerto Rico and the Virgin Islands whether issued prior to, or subsequent to such date, shall be deemed to have entered thereon the following provision: "The licensed deck officers, including the master, required by this certificate of inspection shall possess evidence satisfactory to the Commandant of the Coast Guard of proficiency in wartime merchant ship communication." Such provision need not be endorsed upon such certificate but shall be deemed to be included therein with the same force and effect as though physically written therein.

§ 161.2 *Exhibition of evidence of proficiency in communications.* The evidence of proficiency in wartime mer-

chant ship communications required by the provision of certificates of inspection specified in § 161.1 shall be exhibited to the Coast Guard Shipping Commissioner at the time of signing on the vessel.

§ 161.3 *Endorsements on licenses.* Upon furnishing to any Coast Guard officer authorized to issue licenses to deck officers such evidence as the Commandant of the Coast Guard may require of proficiency in wartime merchant ship communications any licensed deck officer shall have his license endorsed "Qualified in wartime communications". Licenses so endorsed are approved as satisfactory evidence of proficiency in wartime merchant ship communications as required by the provision of certificates of inspection specified in § 161.1.

§ 161.4 *Navy certificates of proficiency in wartime merchant ship communications.* Certificates of Proficiency in Merchant Ship Communications for U. S. Masters and Mates issued by Navy certifying officers may be accepted by Coast Guard Shipping Commissioners and license issuing officers as satisfactory evidence of the proficiency in wartime merchant ship communications as required by the provision of certificates of inspection specified in § 161.1.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

JULY 28th, 1944.

[F. R. Doc. 44-11320; Filed, July 29, 1944;
10:13 a. m.]

Chapter III—War Shipping Administration

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

[G.O. 2, Supp. 6]

UNIFORM VOYAGE CHARTER FOR PRIVATE CARRIAGE OF DRY CARGOES

As of August 15, 1944, § 303.5 *Uniform voyage charter for private carriage of dry cargoes, "Warshipvoy 3/1/43"* (Supp. 4 and Supp. 4, Amendment 1 to General Order 2) (8 F.R. 2400, 2723) is revoked and superseded by the following § 303.4:

§ 303.4 *Uniform voyage charter for private carriage of dry cargoes, "Warshipvoy (Revised) 8/15/44."* (a) On and after August 15, 1944, all voyage charters or trip charters entered into by or on behalf of the War Shipping Administration for the private carriage (as distinct from common carriage) of all dry cargoes (except sugar in the West Indies sugar trade) on vessels operated by or on behalf of the War Shipping Administration shall be on the form designated Warshipvoy (Revised) 8/15/44.

(b) The said Warshipvoy (Revised) form of charter party shall be printed on one page in type no smaller than six-point, Part I being completely on the face of the form and Part II being completely on the reverse of the form.

(c) The right is reserved to approve other forms of voyage charters and make general amendments or amendments appropriate to specific trades.

(d) In printing the form and in preparing individual charter parties the Agent's attention is directed to Traffic Regulation No. 12 with particular reference to Part A which contains detailed instructions in connection with filling in the blank spaces in Part I of the charter party.

(e) Agents may upon advice to the War Shipping Administration, and upon previous approval by it, incorporate special provisions in Part I of the charter party appropriate and necessary to the particular commodity, vessel or trade. Special provisions intended for more or less general use in a particular trade will be authorized by Rate Orders or Traffic Regulations. Other special provisions may be authorized by letter or other written communication from the War Shipping Administration to the Agent.

(f) The form of cargo receipt attached to the charter party and referred to in Clause 18 thereof may be adapted to the requirements of a particular cargo, *Provided*, The form and contents of the said receipt are not substantially changed.

(g) Warshipvoy charter parties shall be in the following form:

Warshipvoy (Revised) 8/15/41

Contract No. _____

VOYAGE CHARTER PARTY

Charter party made as of _____, 194____, at _____ between the United States of America, acting by and through the Administrator, War Shipping Administration, (hereinafter called the "Owner") of the good _____ MS SS

_____ (hereinafter called the "Vessel") and _____, charterer (hereinafter called the "Charterer")

This Charter Party consists of Part I and Part II. Except to the extent otherwise provided in Part I, all the provisions of Part II shall be a part of this Charter Party as though fully set forth herein.

PART I

A. Description of vessel:

Net registered tonnage of vessel: _____
Classed: _____
Fully Loaded Draft (Summer Marks): _____
Capacity for cargo (including deck cargo, if any) _____ tons of 2240 lbs. (10 per cent more or less vessel's option).
Bale cubic capacity for cargo _____ cu. ft., under deck according to ship's plan, but not guaranteed by the Owner.
Number of hatches: _____
Number of winches and derricks: _____

B. Description of Cargo:

C. Loading Port(s): _____
D. Discharging Port(s): _____
E. Freight Rate: _____
Demurrage: _____
Despatch: _____
F. Stevedoring: _____
G. Loading Time: _____
H. Discharging Time: _____
I. Special Provisions: _____

Commission. Commission or brokerage, if any, is due and payable by the Owner in ac-

cordance with and to the extent of applicable regulations of the War Shipping Administration to

In witness whereof the parties hereto have executed this Agreement, in triplicate, as of the day and year first above written.

UNITED STATES OF AMERICA,
By WAR SHIPPING ADMINISTRATION,
By Agent.

Witness the signature of:

Witness the signature of:

PART II

1. *Vessel and voyage.* The Vessel on tendering hereunder shall as far as due diligence can make her so, be tight, staunch, strong and ready for service. Because of prevailing conditions, it is agreed that the Vessel may be of a type not fitted, constructed or ordinarily employed for the contract voyage and the Owner shall not be responsible for any loss of, damage or delay to cargo arising from or due to the type or structure of the Vessel provided the same is not due to the Owner's failure to exercise due diligence, and all risk of loss, damage or delay inherent in such carriage or attributable to such use shall be borne by the Charterer. In the event the named Vessel is prevented from reporting for loading for any reason, Owners are to have the privilege of substituting another vessel of similar class, and, in the event the rate order provides for any alteration in rate, loading or discharging time, demurrage or despatch to cover the type of substituted vessel, the Charterer or Owner, whoever is affected, shall receive the benefit of such change or changes.

2. *Stevedoring and lighterage.* (a) Stevedoring and other expenses of loading and discharging, including any expense of tallying, winchmen, dunnage, cargo fittings, heavy lifts, dumping and trimming, removal of strongbacks with shore equipment where necessary are upon the basis set out in Part I. Unless otherwise agreed, dunnage and fittings placed aboard by the Charterer may be retained on board at the option of the Owner. If the Owner elects not to retain them on board, the cost of removal and discharge shall be borne by the Charterer, and time so used shall count as laytime. Where Charterer loads or discharges the Charterer shall be responsible for cleaning the cargo compartments at Charterer's expense and on his time. Cleaning shall mean swept holds with refuse removed except on cargo where custom provides more complete cleaning.

(b) The Vessel will permit the use of ship's winches and other appropriate gear actually on board. The Vessel will at all times provide power sufficient to run all the winches, or all necessary to be worked. Where loading or discharging is performable by the Charterer and it is necessary to employ the Vessel's crew to operate winches, the said members of the crew shall be deemed the agents of the Charterer and any wages or overtime payable to the Vessel's crew employed as winchmen shall be for Charterer's account and shall be covered by Charterer's compensation or other liability insurance ordinarily required by law or custom upon stevedores or other workmen. At any berth where the Charterer is to load or discharge at his expense, or at any berth used upon the request of the Charterer, the Charterer must supply adequate light for any work performed but may have the use of any lighting facilities aboard the Vessel.

(c) The Charterer agrees to provide and pay for workmen's compensation, job liability and other insurance required by law or custom upon stevedores or other workmen employed by or performing any of the duties of the Charterer hereunder at all ports or places of

loading and discharging and will furnish the Owner upon demand a certificate of such insurance. The Charterer agrees to pay for all stevedore damage and to indemnify the Vessel and the Owner for any damage or expense caused by the act or neglect of the Charterer or its Agents or contractors appointed by the Charterer or performing any of its duties in the loading or discharging of the Vessel or from failure of equipment supplied by them.

(d) Lighterage, if any, to be at the risk and expense of the cargo.

3. *Loading port.* (a) The cargo described in Part I shall be loaded on the Vessel but in no case shall the cargo exceed what the Vessel can reasonably stow and carry, in the judgment of the Master, over and above the space and burthen necessary for Vessel's officers and crew, her cabin, tackle, apparel, furniture, provisions, fresh water, stores, necessary ballast and fuel. No cargo shall be carried on deck, unless provided in Part I hereof, and in such case the carriage of deck cargo shall be at the sole discretion of the Master and at the risk of the Charterer and Owners of such cargo. Any material required for securing deck cargo is to be furnished by the Charterer and for his account, but Charterer may have the use of any such material aboard the vessel.

(b) Loading port or ports to be named by the Charterer not later than upon signing this charter.

4. *Loading berth.* (a) The cargo described in Part I shall be loaded on the Vessel at such berth or berths that the Charterer may designate, always, however, subject to the approval of the War Shipping Administration. One loading berth only is contemplated, and permission of the Owner is required for any additional berths. If permission is obtained the Charterer shall pay all expenses, except wages of the Vessel's crew including overtime,

fuel, and other usual vessel expenses incurred in shifting between or among berths and the time consumed shall count as used loading time.

(b) The Charterer warrants that such berth or place as may be designated by him shall be safe in all respects. Unless expressly provided in Part I that the Vessel may load safely aground, the Charterer warrants that such berth or berths shall have sufficient depth of water at all times and stages of tide to accommodate safely a vessel of the size and particulars designated in Part I hereof and that the Vessel can proceed to, remain thereat, and depart therefrom always safely afloat.

(c) The Charterer warrants that the berth shall be available immediately when the Vessel is ready to load. Any time lost to the Vessel while awaiting berth shall be counted as used time for loading. Where delay is due to routing instructions, bunching of vessels in convoy or other similar causes resulting from orders of the United States or the Owner, over which the Charterer has no control, the Owner reserves the right to exclude all or any part of the time the Vessel is so delayed from the lay time, if in the Owner's judgment, which shall be final and conclusive, the circumstances of the delay warrant such action.

5. *Loading time.* When the Vessel has arrived at the loading port and is in all respects ready to load, a notice of readiness to load shall be tendered by letter, telegram or phone to the Charterer or his agent whether or not during usual business hours and the despatch of such notice shall constitute notice whether or not it is received by the Charterer. The time for loading shall commence at the time stated below respectively, Vessel in or out of berth.

If the said notice is tendered between		Time for loading shall commence	
12:01 a. m. to 8:00 a. m.	8:01 a. m. to 12:00 noon	At 1:00 p. m. on the same day.	4 hours after notice provided loading commences before the four hour period after notice has expired, but in no event later than 4:00 p. m. on the same day.
12:01 p. m. to 4:00 p. m.	4:01 p. m. to 12:00 midnight	At 8:00 a. m. on the next day, unless loading commences before 12:00 midnight the day of tendering of notice in which event time starts 12:01 a. m. the next day.	

6. *Freight.* (a) Full freight to the discharging port named in Part I shall be considered completely earned on cargo as came is loaded whether the freight be stated or intended to be prepaid or to be collected and the Owner shall be entitled to all freight and charges due hereunder whether actually paid or not and to receive and retain them irrevocably under all circumstances whatsoever ship and/or cargo lost or not lost, whether or not the cargo is damaged or unsound or the voyage broken up or abandoned. In the event the Vessel and/or cargo is lost, the loading quantity, weight or measurement at the rate specified in Part I and as indicated by cargo receipts, shall be conclusive.

(b) Freight shall be payable in United States currency in the United States upon completion of loading, without deductions for any cause, except for advances to the Master. In the event freight is to be determined on the outturned weight, 80% of the freight on the loading weight shall be paid upon the signing of cargo receipts; the balance payable upon ascertainment of the gross landed weights as determined by certificates of public weighers, railway scale weights or by other customary means not inconsistent with

these. The Vessel may checkweight or measure at its own expense.

(c) Should the Charterer fail to supply the cargo stipulated in Part I hereof, the Vessel may at the Master's option, and shall, upon the request of the Charterer, proceed on her voyage: *Provided*, That she is, in the judgment of the Master, in a seaworthy condition as far as the quantity and stowage of the cargo is concerned. In that event, dead freight shall be paid upon the difference between the quantity loaded and the quantity she would have carried if loaded as contracted. Dead freight shall be subject to all of the stipulations as to freight generally hereunder.

(d) If this Charter Party is for successive voyages, the freight for each and every voyage after the first voyage shall be at the rate prescribed by the War Shipping Administration on or before the date of completion of loading for each such voyage. If the rate of freight and/or surcharge at the time of such loading is higher than the rate stated in Part I hereof, Charterer agrees to pay such increase and the Vessel shall have a lien upon the goods for any difference between such increased rate and surcharge and the rate and surcharge stated herein. Similarly

any reduction in the rate or surcharge will inure to the benefit of the Charterer.

(e) Notwithstanding any of the foregoing provisions of this clause, the Owner may repay or refund all or part of the freight, dead freight or charges including demurrage if in the judgment of the Owner, whose decision shall be final and conclusive, the circumstances are of a nature which requires the whole or partial absorption of the loss by the Owner rather than by the Charterer.

7. *Advances.* Cash shall be advanced by the Charter to the Master, if required, for ordinary disbursements at ports of loading and discharge against Master's receipt, and at current rates of exchange, free of interest, discount, commission, or insurance fees.

8. *Discharging port.* (a) If the port or ports of discharge are not specified in Part I hereof, such port or ports shall be named by the Charterer not later than the time of completion of loading. Any loss of time resulting from delay in naming the port of discharge shall count as used loading time.

(b) Diversion of the Vessel to another discharging port while en route to the first named port at the request of the Charterer may be permitted by the Owner on such terms and conditions as may be agreed upon, but not a less additional charge than if such option had originally been granted in Part I hereof. When the Vessel is diverted or the voyage frustrated by reason of government orders or under any of the circumstances specified in Clause #23 hereof, all the rights, liberties and immunities stated in Clause #23 shall be available to the Owner and the Owner shall have the right to receive or retain freight in accordance with Clause #6 (a) hereof except in cases where the Owner, whose decision shall be final and conclusive, determines that all or part of such freight should be refunded or reduced because the circumstances relating to the diversion or frustration are of a nature which properly requires the whole or partial absorption of the loss by the Owner rather than by the Charterer.

9. *Discharging berth.* (a) Cargo will be discharged at the berth or berths that the Charterer designates, always subject, however, to the approval of the War Shipping Administration. One discharging berth only is contemplated, and permission of the Owner is required for any additional berth. If permission is obtained, the Charterer shall pay all expenses, except wages of the Vessel's crew, including overtime, fuel, and other usual vessel expenses incurred in shifting between or among berths and the time consumed shall count as used discharging time.

(b) The Charterer warrants that such berth or place as may be designated by him shall be safe in all respects. Unless expressly provided in Part I that the Vessel may discharge safely aground, the Charterer warrants that such berth or berths shall have sufficient depth of water at all times and stages of tide to accommodate safely a vessel of the size and particulars designated in Part I hereof and that the Vessel can proceed to, remain thereat, and depart therefrom always safely afloat.

(c) The Charterer warrants that the berth will be available immediately upon Vessel being ready to discharge. Any time lost to the Vessel while awaiting berth shall be counted as used time for discharging. Where delay is due to routing instructions, bunching of vessels in convoy or other similar causes resulting from orders of the United States or the Owner, over which the Charterer has no control, the Owner reserves the right to exclude all or any part of the time the Vessel is so delayed from the lay time, if in the Owner's judgment, which shall be final and conclusive, the circumstances of the delay warrant such action.

10. *Discharging time.* When the Vessel has arrived at the discharging port and is in all respects ready to discharge, a notice of

readiness to discharge will be tendered by letter, telegram or phone to the Charterer or his agent whether or not during usual business hours and the despatch of such notice

If the said notice is tendered between
12:01 a. m. to 8:00 a. m.-----
8:01 a. m. to 12:00 noon-----

12:01 p. m. to 4:00 p. m.-----

4:01 p. m. to 12:00 midnight-----

11. *Separation of cargo.* Unless otherwise stipulated in Part I all of the cargo loaded shall be of the same character and quality, and no separation thereof shall be required. Cargo may be discharged and landed as it comes to hand. In the event the Charterer should desire separation of cargo, such separation shall be at his risk and expense, and any material required shall be for Charterer's account. In any event the Owner shall not be responsible for delivery of cargo by quality, grade or marks.

12. *Demurrage, Despatch, Overtime.*—(a) *Laytime.* For purposes of computing laytime under this Charter the quantities stipulated in Part I hereof as the minimum loading or discharging rate, or the minimum rate for bringing cargo to or taking it from alongside the Vessel, shall be the factor to determine the number of lay days allowed for loading and discharging.

(b) *Demurrage.* Charterers shall pay demurrage at the rate stipulated in Part I hereof for each and every day and pro rata for any part of a day that the time of loading or discharging exceeds the allowed lay-time.

(c) *Despatch.* Charterer shall be entitled to despatch, if any, at the rate stipulated in Part I hereof for each and every day and pro rata for any part of a day for all lay-time saved in loading or discharging.

(d) *Lay days reversible.* Unless otherwise provided in Part I hereof lay days at Charterer's option are reversible, except that, if Charterer earns and elects at the time the bills of lading are signed to collect despatch at loading port, the Charterer is not entitled to a second election in the event demurrage accrues at the port of discharge.

(e) *Overtime—Charterer loads or discharges.* If overtime is ordered by the Charterer, all overtime loading and discharging shall be at the Charterer's expense. If overtime is ordered by the Owner, the Owner shall pay or reimburse the Charterer for all overtime for stevedore labor or operators of cranes for loading from alongside the vessel at the end of ship's tackle or for discharging to the end of ship's tackle, but all overtime for placing cargo alongside or for taking it away from alongside the Vessel shall be for Charterer's account. Where overtime is ordered by the Owner, all overtime hours worked at the Owner's expense shall be deducted from any lay time saved in the event despatch is payable hereunder.

(f) *Overtime—Owner loads or discharges.* If overtime is ordered by the Charterer, as Charterer may do with the approval of the War Shipping Administration's Port Representative, to avoid or minimize demurrage, earn despatch, or otherwise for Charterer's convenience, the Charterer shall pay or reimburse the Owners for all overtime expense. If overtime is ordered by the Owner, all overtime for stevedore labor or crane operators for loading cargo from alongside the Vessel at the end of the ship's tackle or for discharging

shall constitute notice whether or not it is received by the Charterer. The time for discharging shall commence at the times stated below respectively, vessel in or out of berth.

Time for discharging shall commence
At 1:00 p. m. on the same day.

4 hours after notice provided discharging commences before the four-hour period after notice has expired, but in no event later than 4:00 p. m.

4 hours after notice provided discharging commences before the four-hour period after notice has expired, but in no event later than 8:00 p. m.

At 8:00 a. m. on the next day, unless discharging commences before 12:00 midnight the day of tendering of notice in which event time starts 12:01 a. m. the next day.

cargo to the end of the ship's tackle shall be for the Owner's account, but all overtime for placing cargo alongside or for taking it away from alongside the Vessel shall be for the Charterer's account.

(g) *Overtime—Vessel's crew.* Whether loading or discharging is performable by the Owner or by the Charterer, overtime of the Vessel's crew shall be for the Owner's account; except, that where the Charterer loads or discharges and employs the Vessel's crew to operate winches, any overtime of members of the crew operating the winches shall be for the Charterer's account.

(h) *Overtime—Right of owner to order.* Notwithstanding the fact that the quantity stipulated in Part I hereof may be loaded or discharged during or before the end of the usual working hour day, the Owner reserves the right to order the Vessel to load or discharge as fast as she can twenty-four consecutive hours per day, each and every day, Sundays and holidays included or during any part of any or all days beyond the usual working hours. In that event and if the Charterer refuses or neglects to use due diligence to perform during straight or overtime hours any of the obligations on its part to be performed pursuant to this Charter Party, the Charterer shall pay as liquidated damage a sum computed upon the rate of demurrage stipulated in Part I hereof for each and every hour of work requested by the Owner which is not worked without regard to the allowed or used lay time.

(i) *Strikes.* Any time lost through strikes, lockouts, or stoppages of work, not caused or promoted by the Charterer, shipper, consignee, or their agents, which prevent the Vessel from loading or discharging cargo, or which prevent the Charterer from bringing cargo, which is on the pier or lighter, alongside the Vessel, or prevents the Charterer from taking cargo from alongside the Vessel, is not to be computed as part of the time for loading or discharging; provided that the foregoing exceptions shall not apply to strikes, lockouts or stoppages of work existing at the berth at the time charterer designates such berth pursuant to Clause No. 4 (a) or No. 9 (a) hereof, or existing at the time the vessel, after arrival at port, tenders notice of readiness to load or discharge pursuant to Clauses No. 5 or No. 10 hereof.

(j) *Strikes—Loading port.* In the event the Vessel or loading of the Vessel is delayed by reason of strikes, lockouts, or stoppages of work, the Owner reserves the right at the loading port to despatch the Vessel with such portion of the cargo as may then be on board or at the Owner's option to terminate this Charter Party and withdraw the Vessel from service. In either case, the Charterer shall not be liable for dead freight or demurrage or both on cargo which is not loaded up to the time of the commencement of such strike, lockout or stoppage of work.

(k) *Strikes—Discharge port.* In the event the Vessel or discharge of the Vessel is de-

layed by reason of strike, lockout, or stoppage of work, the Owner reserved the right at the discharge port to discharge or dispose of the cargo still on board, at Charterer's risk and expense, in accordance with all the terms and liberties contained in Clause #23 hereof.

(1) *Strikes—Notice to owner.* In the event a strike, lockout or stoppage of work is in effect at a particular designated port or berth to which the Vessel is proceeding to load or discharge, the Charterer shall immediately communicate with the Owner or its Agents at that port. If the notice is received by the Owner in less than three days before the scheduled or anticipated arrival of the Vessel at that port, the Owner may elect whether or not to proceed to that port or berth. In the event the Owner elects to proceed, the Vessel may tender notice of arrival and the provisions of Paragraphs j and k above shall not be applicable and time for loading or discharging shall not commence until four hours after the termination of the strike, lockout or stoppage of work. If the Owner elects not to proceed to the loading port, the Owner may terminate this Charter Party and withdraw the Vessel from service. If the Owner elects not to proceed to a discharge port the Owner shall be entitled to all the rights, liberties and immunities provided in Clause 23 and Clause 8 (b) hereof.

13. *Appointment of Agents.* The Owner's Agents will act for the Vessel at both loading and discharging ports.

14. *Dues, taxes, wharfage, etc.* The Vessel will be free of any wharf, dock, quay dues, or similar charges at both the port of loading and port of discharge. Custom's fees, entrance or clearance fees, whether measured by the volume of cargo or not, towing and tug charges, pilotage and other usual port charges on the vessel shall be paid by the Owner. All other dues, taxes or assessments of any sort, including but without limitation those against the Vessel which are measured by the volume of the cargo, shall be paid by the Charterer.

15. *Customs, weighers, etc.* All arrangements and expense for weighers, samplers and gauges, whether required by Customs, or to determine the quantity of cargo, the amount or adjustment of freight or otherwise and all other Customs' requirements in connection with the cargo to be paid by Charterer, and any delay resulting from failure to make such arrangements shall count as used lay time.

16. *Lien.* The Owner shall have an absolute lien on the cargo and upon all subfreights for all amounts due under this Charter including freight, dead freight, demurrage and costs and disbursements (including attorney's fees) of recovering the same, which lien shall continue after delivery of the cargo hereunder.

17. *Assignment.* Subject to the prior approval of War Shipping Administration the Charterer shall have the option of subletting or assigning this Charter to any individual or company, but the Charterer shall always remain responsible for the due fulfillment of this Charter and all its terms and conditions.

18. *Cargo receipt.* (a) Non-negotiable receipts substantially in the form appearing herein shall be issued and signed by the Master as requested. If a negotiable bill of lading is provided for in Part I, the bill of lading shall be in the form prescribed by General Order No. 16 and present and future supplements or amendments thereto (Warshiploading or Warshipshortloading) upon which the following clause shall be prominently placed: "Subject to all the terms, provisions, conditions and exceptions of Warshipvoy Charter Party dated _____"

(b) Any receipt or bill of lading signed by or on behalf of the Master or Agent shall be

without prejudice to the terms, conditions and exceptions of this Charter and subject to all of them. The Charterer hereby agrees to indemnify and hold harmless the Owner, the Master, and the Vessel of and from all consequences or liabilities that may arise from the Charterer or its agents or the Master signing or issuing receipts, bills of lading or other documents inconsistent with this Charter or from any irregularity in the papers supplied by the Charterer or its agents or from complying with Charterer's or its agents' orders.

19. *Limitation of liability.* (a) The Owner and the Vessel in all matters arising under this Charter Party shall be entitled to the like privileges and rights and immunities as are contained in Section 3 (6), Section 4, and Section 11 of the Carriage of Goods by Sea Act of the United States approved April 10, 1936. The aforesaid provisions (except as may be otherwise specifically provided herein) shall govern before the goods are loaded on and after they are discharged from the Vessel and throughout the entire time the goods are in the custody of the Owner or Vessel.

(b) Neither the Vessel or Owner, nor any corporation owned by, subsidiary to or associated or affiliated with the Vessel or Owner shall be liable to answer for or make good any loss or damage to the goods occurring at any time and even though before loading on or after discharge from the Vessel, by reason or by means of any fire whatsoever, unless such fire shall be caused by the owner's design or neglect.

(c) Any provision of this Charter to the contrary notwithstanding the Owner shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner by any statute or rule of law for the time being in force. The amount of the Owner's liability hereunder for or in connection with any cargo transported shall not exceed the value of the Owner's interest in the vessel and pending freight regardless of whether or not the Owner is within the purview of Sections 4281-4289 of the Revised Statutes of the United States.

20. *Both-to-blame collision clause.* If the Vessel comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the Master, Mariners, Pilot or the servants of the Owner of the Vessel in the navigation or in the management of the Vessel, the owners of the cargo carried hereunder will indemnify the Owner of the Vessel against all loss or liability to the other or non-carrying ship or her owners insofar as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said cargo, paid or payable by the other or non-carrying ship or her owners to the owners of said cargo and set-off, recouped or recovered by the other or non-carrying ship or her owners as part of their claim against the carrying Vessel or Owners. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

21. *General average clause.* General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 23, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Owner of the Vessel, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from

the Vessel. Average agreement or bond and such additional security, as may be required by the Owner, must be furnished before delivery of the cargo. Such cash deposit as the Owner or his Agents may deem sufficient as additional security for the contribution of the cargo and for any salvage and special charges thereon, shall, if required, be made by the cargo, shippers, consignees, or owners of the cargo to the Owner before delivery. Such deposit shall, at the option of the Owner, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

22. *Amended Jason clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the Owner is not responsible by statute, contract, or otherwise, the cargo, shippers, consignees, or owners of the cargo shall contribute with the Vessel and its Owner in General Average to the payment of any sacrifices, losses or expenses of a General Average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the cargo. If a salving vessel is owned or operated by the Owner, salvage shall be paid for as fully as if the salving vessel or vessels belong to strangers.

23. *Liberties clauses.* (a) In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Owner or Master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the vessel or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the cargo at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the Owner or Master may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the cargo at port of shipment and upon their failure to do so, may warehouse the cargo at the risk and expense of the cargo; or the Owner or Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the cargo there, may discharge the cargo into depot, lazaretto, craft or other place; or the Vessel may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the Master or the Owner may consider safe or advisable under the circumstances, and discharge the cargo, or any part thereof, at any such port or place; or the Owner or the Master may retain the cargo on board until the return trip or until such time as the Owner or the Master thinks advisable and discharge the cargo at any place whatsoever as herein provided or the Owner or the Master may discharge and forward the cargo by any means at the risk and expense of the cargo. The Owner or the Master is not required to give notice of discharge of the cargo, or the forwarding thereof as herein provided. When the cargo is discharged from the Vessel, as herein provided, it shall be at its own risk and expense; such discharge shall constitute complete delivery and performance under this Contract and the Owner and the Vessel shall be freed from any further responsibility. For any service rendered to the cargo as herein provided the Owner or the Vessel shall

be entitled to a reasonable extra compensation.

(b) The Owner, Master and Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the Vessel, the right to give such orders or directions. Delivery or other disposition of the cargo in accordance with such orders or directions shall be a fulfillment of the contract voyage. The Vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

(c) In addition to all other liberties herein the Owner and the Vessel shall have the right to withhold delivery of, reship to, deposit or discharge the cargo at any place whatsoever, surrender or dispose of the cargo in accordance with any direction, condition or agreement imposed upon or exacted from the Owner or the Vessel by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the cargo shall be solely at its risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the cargo.

24. *Scope of voyage.* (a) The scope of voyage herein contracted for shall include usual or customary or advertised ports of call whether named in this contract or not, also ports in or out of the advertised, geographical, usual or ordinary route or order, even though in proceeding thereto the Vessel may sail beyond the port of discharge or in a direction contrary thereto or return to the original port, or depart from the direct or customary route, and include all canals, straits and other waters. The Vessel may call at any port for the purposes of the current voyage or of a prior or subsequent voyage. The Vessel may omit calling at any port or ports whether scheduled or not, and may call at the same port more than once; may for matters occurring before loading the cargo, known or unknown at the time of such loading and matters occurring after such loading, either with or without the cargo or passengers on board, and before or after proceeding toward the port of discharge, adjust compasses, dry dock, with or without cargo, aboard go on ways or to repair yards, shift berths, make trial trips or tests, take fuel, passengers, crew or stores, remain in port, sail with or without pilots, tow and be towed, and save or attempt to save life or property; and all of the foregoing are included in the contract voyage.

(b) In view of the necessity for the expeditious employment of all the available Merchant Marine, the exercise by the carrier or master of any of the liberties granted herein with respect to loading, departure, scope of voyage, arrival, routes, ports of call, stoppage, discharge, destination, surrender, delivery, or otherwise, shall be presumed to be for the purposes of conserving and utilizing war time, sea mileage or shipping space, and therefore prima facie reasonable and necessary in the assembling, transportation or distribution of materials essential to the war effort.

25. *Exceptions.* The Vessel, her Master and Owner, shall not, unless otherwise in the Charter expressly provided, be responsible for

any loss or damage or delay or failure in performing hereunder, arising or resulting from: Any act, neglect, default or barratry of the Master, Pilots, Mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the Owner, shipper or consignee of the cargo; their agents or representatives; insufficiency of packing, insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual personal fault or privity of the Owner. And neither the Vessel, the Master or Owner, nor the Charterer, shall, unless otherwise in the Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder arising or resulting from: Act of God, act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board or to repair or go on drydock either with or without cargo aboard. No exemption afforded to the Charterer under this clause shall diminish its obligations for payment of any sums due the Owner under the other provisions of this Charter.

26. *Ice clause.* The Vessel shall not be ordered to nor bound to enter any ice-bound place or any place where lights, lightships, marks and buoys on Vessel's arrival are or are likely to be withdrawn by reason of ice or where there is risk that ordinarily the Vessel will not be able on account of ice to enter, reach or leave the place. The Vessel shall not be obliged to force ice. If on account of ice the Master considers it dangerous to remain at the loading or discharging place for fear of the Vessel being frozen in and/or damaged, he has the liberty to sail to a convenient open place and await the Charterer's further instructions. Detention through any of the above causes to be for the Charterer's account.

27. *Definition of "owner."* Wherever the word "Owner" appears herein without further definition it refers to the Owner of the Vessel, and shall be deemed to include a Time Charterer, Demise Charterer, Requisition Charterer, Deponent Owner, or user.

28. *Part I and Part II.* This Charter Party consists of this Part II and of Part I on the reverse hereof. Unless in this Part II otherwise provided, all of the provisions of said Part I shall be part of this Charter Party as though fully incorporated herein. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

29. *Members of Congress.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

FORM OF CARGO RECEIPT

Received in apparent good order and condition from _____ on board the _____ Motorship _____ Steamship _____ whereof _____ is Master, at the port of _____ to be delivered at the port of _____ or so near thereto as the Vessel can safely get, always afloat, unto _____

This shipment is carried under and pursuant to the terms of the Warshipvoy Charter dated _____ at _____ between _____ and _____ as Charterer, and all the terms, conditions, exceptions and exemptions whatsoever of the said Charter apply to and govern the rights of the parties concerned in this shipment.

In witness whereof, the Master has signed _____ Receipts of this tenor and date.

Dated at _____ this _____ day of _____

Master

[SEAL]

E. S. LAND,
Administrator.

JULY 28, 1944.

[F. R. Doc. 44-11303; Filed, July 29, 1944; 9:59 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 71-85—TRANSPORTATION OF EXPLOSIVES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of July, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles,

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

(Sec. 233, 41 Stat. 1445, sec. 204, 40 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat.

922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

Part 3—Regulations Applying to Shippers

Superseding and amending sec. 261A, order Aug. 16, 1940, as follows (*packing formic acid*) (change or add):

(b) In containers prescribed in sec. 246, except Spec. 5A metal barrels or drums.

(f) Spec. 5C.—Metal barrels or drums.

Appendix—Shipping Container Specifications

Superseding and amending pars. 15 (b) and 17, spec. 3A, order Aug. 16, 1940, to read as follows:

15 (b) Specimens must be: Gauge length 8 inches with width not over 1½ inches; or, gauge length 2 inches with width not over 1½ inches: *Provided*, That gauge length at least 24 times thickness with width not over 6 times thickness is authorized when cylinder wall is not over ⅜ inch thick. The specimen, exclusive of grip ends, must not be flattened. Grip ends may be flattened to within one inch of each end of the reduced section. Heating of specimen for any purpose is not authorized.

17. Leakage Test.—Every cylinder with the bottom closed in by the spinning process must be tested for leakage by gas or air pressure after the interior of the bottom has been cleaned and is free from all moisture. Pressure, approximately the same as but not less than service pressure, must be applied to the interior of the finished bottom over an area of at least ⅙ of the total area of the bottom but not less than ¾ inch in diameter, including the point of closure, for at least one minute, during which time the exterior of the bottom exposed to interior pressure must be covered with water and closely examined for indications of leakage. Leakers must not be repaired and must be rejected.

NOTE: As a safety precaution, if the manufacturer elects to make this test *before* the hydrostatic test, he should design his apparatus so that the pressure is applied to the smallest area practicable, around the point of closure, and so as to use the smallest possible volume of air or gas.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after July 24, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11436; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 159-A]

PART 95—CAR SERVICE

MOVEMENT OF COMBUSTIBLE LIQUIDS TO SALISBURY, MD.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of July, A. D. 1944.

Upon further consideration of Service Order No. 159 of October 12, 1943 (8 F.R. 14018), and good cause appearing therefor:

It is ordered, That, Service Order No. 159 of October 12, 1943, § 95.33, partially suspending the operation of section 8 of Rule 35 of the Consolidated Freight Classification No. 15, as amended, insofar as it applies to combustible liquids destined Salisbury, Maryland, be, and it is hereby vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 p. m., July 28, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

○[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11303; Filed, July 23, 1944; 10:50 a. m.]

[S. O. 104, Amdt. G]

PART 95—CAR SERVICE

MOVEMENT OF REFRIGERATOR CARS TO DESIGNATED POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended (8 F.R. 5270; 8 F.R. 11852; 8 F.R. 12100-01; 8 F.R. 17423; 9 F.R. 947), and good cause appearing therefor:

It is ordered, That, Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended, be, and it is hereby, further amended by substituting the following provisions in lieu of the territorial description in paragraph (a) (1) (i) in Amendment No. 5 (9 F.R. 947) of § 95.304, Substitution of refrigerator cars, as amended:

(a) (1) * * * (i) westbound shipments in carloads originating at points shown as origin points in Agent L. E. Kipp's tariffs, I. C. C. Nos. 1492 and 1493, supplements thereto or reissues thereof, destined to points in the States of Cali-

fornia, southern Idaho (on the Union Pacific main and branch lines across southern Idaho, including the line from Pocatello to the Montana-Idaho State line and the branches north of Blackfoot, Idaho), Arizona, Nevada, or Utah, or (ii) * * *. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., August 1, 1944; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11437; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 124, Amdt. 4]

PART 95—CAR SERVICE

REQUIREMENTS, CONCERNING BILL OF LADING FOR CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924; 9 F.R. 3594, 9 F.R. 4442) and good cause appearing therefor:

It is ordered, That: Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR § 95.333, as amended, be further amended by striking from the last ordering paragraph, as amended, the clause "That this order shall become effective at 7:00 a. m., August 3, 1944;" and by inserting in lieu thereof the following clause "That this order shall become effective at 7:00 a. m., September 9, 1944." (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 7:00 a. m., August 3, 1944; that a copy of this order and direction shall be served upon each state railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11433; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 180, Amdt. 5]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 180 (9 F.R. 1598-99) of February 5, 1944, as suspended and amended (9 F.R. 1679-80; 9 F.R. 1827; 9 F.R. 2095; 9 F.R. 3747; 9 F.R. 4442) and good cause appearing therefor:

It is ordered, That, Service Order No. 180 (9 F.R. 1598-99) of February 5, 1944, 49 C.F.R. § 95.330, as suspended and amended be, and it is hereby, further suspended until September 9, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this order shall become effective August 5, 1944; that a copy of this order and direction shall be served upon each State Railroad Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11438; Filed, July 31, 1944;
11:46 a. m.]

[S. O. 188, Amdt. 4]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON INTRATERMINAL REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 188 (9 F.R. 3098) of March 18, 1944, as amended (9 F.R. 3396; 9 F.R. 3748; 9 F.R. 4728) and good cause appearing therefor:

It is ordered, That, Service Order No. 188 (9 F.R. 3098) of March 18, 1944, 49 CFR § 95.334, as amended, be, and it is hereby, further suspended until September 9, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective with August 5, 1944; that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the

Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11440; Filed, July 31, 1944;
11:46 a. m.]

[S. O. 221]

PART 95—CAR SERVICE

UTILIZATION OF ROUGH BOX CARS FOR LOADING SHINGLES FROM OREGON AND WASHINGTON

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944:

It appearing, that, due to the west-bound loading of rough box cars into Oregon and Washington, there is a supply of these cars available at points in these States for shingles; the failure to utilize these rough box cars for transporting shingles from Oregon and Washington impeded the use, control, supply, movement, distribution, exchange, interchange, and return of cars; in the opinion of the Commission an emergency exists:

It is ordered, That: (a) *Definition*. The phrase "full visible capacity" means that each tier in a box car is loaded to the extent that another bundle or package of shingles of the smallest size loaded in the car cannot be placed between the top row of the tier and the inside top of the car.

(b) *Utilization of rough box cars*. Common carriers by railroads subject to the Interstate Commerce Act shall furnish, when available at points in the States of Oregon and Washington, one box car of less than 40' 6" in length inside measurements in lieu of each box car 40' 6" in length or longer ordered by a shipper or consignor for loading cedar shingles in straight carload shipments.

(c) *Loading*. Each car furnished in accordance with paragraph (b) of this section shall be loaded to full visible capacity.

(d) *Minimum weight*. The minimum weight applicable to shipments loaded into box cars furnished pursuant to paragraph (b) of this section shall be the actual weight of the shipment, but not less than 30,000 pounds.

(e) *Rates to be applied*. The rates to be applied on shipments loaded pursuant to this order shall be the tariff rates now applicable in connection with the tariff minimum weight of 36,000 pounds.

(g) *Announcement of suspension*. Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

It is further ordered, That this order shall become effective at 12:01 a. m.,

August 1, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11442; Filed, July 31, 1944;
11:46 a. m.]

[S. O. 189, Amdt. 4]

PART 97—ROUTING OF TRAFFIC

EMBARGO OF GRAIN ROUTES AND TRANSIT ARRANGEMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 189 (9 F.R. 3357) of March 23, 1944, as amended, and good cause appearing therefor:

It is ordered, That, Service Order No. 189 (9 F.R. 3357) of March 23, 1944, 49 CFR, § 97.12, Embargo of routes and transit arrangements on grain and related articles, and Appendix "A" thereof, be, and it is hereby, further amended in the following respects:

Sheet 9, paragraph 17, Missouri Pacific Railroad tariff I. C. C. No. A-9628, Item 1092 is eliminated.

The Missouri Pacific Railroad (Guy A. Thompson, Trustee), 5 days before the effective date of this order shall publish, file, and post a supplement to its tariff affected hereby announcing the change in the embargo of routes and transit arrangements herein provided. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, That this amendment shall become effective at 12:01 a. m., August 8, 1944; that a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11441; Filed, July 31, 1944;
11:46 p. m.]

Chapter II—Office of Defense
Transportation

[Gen. Permit ODT 24-10]

PART 520—CONSERVATION OF RAIL EQUIP-
MENT; EXCEPTIONS AND PERMITS

PASSENGER TRAIN OPERATIONS

Pursuant to § 500.42 of General Order ODT 24, as amended, it is hereby authorized, that:

§ 520.609 *Certain operations authorized for presidential and vice-presidential candidates.* Notwithstanding the provisions of § 500.41 of General Order ODT 24, as amended, any rail carrier may operate, during the period from July 30, 1944, to November 10, 1944, inclusive, special passenger trains, extra sections of regularly scheduled passenger trains, or special cars in any passenger train, for the exclusive service of any candidate who, during the current national political campaign, is duly nominated for the office of President of the United States or Vice-President of the United States by any political party.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; Gen. Order ODT 24, as amended, 7 F.R. 7814, 10484; 9 F.R. 7534)

Issued at Washington, D. C., this 29th day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-11336; Filed, July 29, 1944;
11:38 a. m.]

Notices

NAVY DEPARTMENT.

CALL FOR BIDS WITH RESPECT TO SALE OF
PETROLEUM FROM ELK HILLS RESERVE,
CALIF.

Invitation to qualified bidders to bid with respect to the public sale of petroleum from Naval Petroleum Reserve No. 1 (Elk Hills), Kern County, California.

1. Pursuant to the Act of June 4, 1920 as amended by Public Law No. 343, 78th Congress, 2d Sess., and the Joint Resolution of Congress No. 344, both of which were approved by the President of the United States June 17, 1944, the Secretary of the Navy (hereinafter referred to as Navy) will produce from said Reserve and have available for public sale to the highest qualified bidder petroleum in the estimated quantities, at the approximate times and at the place indicated below: *Bids for all or any part of such petroleum are requested in compliance with the terms of the above cited Act and Joint Resolution and the conditions and provisions to which reference is hereinafter made.*

2. The public sale will take place in the office of the District Supply Officer, Twelfth Naval District, Room 545, Federal Office Building, San Francisco 2, California, at 10:00 a. m. (P. W. T.) August 15, 1944. Prior to such sale bidders must file with said officer certain statements showing qualifications to bid,

which statements are described in detail in the specifications hereinafter mentioned. No one will be deemed a qualified bidder or be permitted to bid who has not filed such statements. All bids must be in writing. The bids and statements will be read aloud at said time and place and any interested person may be present and will be heard with respect to the subject matter. A bidder who has submitted a bid in accordance with the provisions of this Call and Specifications may forthwith, after all proposals have been read, change the price or any other terms of his bid and such change or changes shall immediately be written into his bid: *Provided, however, That no changes will be permitted that will have the effect of lowering the prices bid.* The bids will then be taken under advisement by Navy and an acceptance or acceptances made within 30 days thereafter subject, however, to the later approval of the President of the United States, which approval may not be obtained within such 30 day period. Navy reserves the right, in the public interest, to reject all bids and order a new public sale.

3. The maximum number of barrels of petroleum covered hereby is approximately 2,474,900 barrels. The quantities that will be available from time to time are subject to (a) speed of development work to increase present production, (b) a maximum authorized daily rate of production available to Navy of 50,000 barrels and (c) causes beyond the control of Navy. The principal place of delivery will be at U. S. Naval Fuel Annex, Elk Hills, in the South Half of Section 16, Township 31 South, Range 24 East, M. D. B. & M., Kern County, California.

4. Navy reserves the right to reduce or stop production at any time when it is no longer required for the national defense and more particularly for the meeting of the critical need for petroleum on the west coast to supply the armed services in the Pacific theater. Consequently, the contract of sale will contain provisions for partial or total cancellation by Navy.

5. Specifications containing detailed information on quantities offered for sale, form of bids, bond requirements, payments, deliveries, volume measurements, provisions respecting price, gravity determination, form of contract, information to be supplied by bidder, etc., can and should be obtained by prospective bidders from Director, Naval Petroleum and Oil Shale Reserves, Navy Department, Washington, D. C., or the Inspector, Naval Petroleum Reserve in California, 402 United States Court House and Postoffice Bldg., Los Angeles 12, California, or the District Supply Officer, 12th Naval District, Federal Office Bldg., San Francisco 2, California. All proposals must conform to such specifications.

RALPH A. BARD,
Acting Secretary of the Navy.

JULY 25, 1944.

[F. R. Doc. 44-11365; Filed, July 29, 1944;
3:53 p. m.]

LABOR DEPARTMENT.

Office of the Secretary.

[WLD-29]

DES MOINES AUTOMOBILE DEALERS ASSN.,
ET AL.

FINDING AS TO CONTRACTS IN PROSECUTION
OF THE WAR

In the matter of Des Moines Automobile Dealers Assn., Jensen-Dunn Co., Gambs Knorr Nash Co., Don Hardy Motor Co., Howard Sole Buick Co., Hudson Jones Co., Sanders Motor Co., Manbeck Motor Co., Brady Motor Co., Mid-Town Motor Co., Schooler Motor Co., Paul Manning Chevrolet, Crescent Chevrolet Co., O'Dea Chevrolet Co., Union Motor Co., Chambers Motor Co., and Owen Crist Auto Body Co., Des Moines, Iowa. (Case No. S-1104.)

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. Law 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER on August 14, 1943, and

Having been advised of the existence of a labor dispute involving Jensen-Dunn Company, Gambs Knorr Nash Company, Don Hardy Motor Company, Howard Sole Buick Company, Hudson Jones Company, Sanders Motor Company, Manbeck Motor Company, Brady Motor Company, Mid-Town Motor Company, Schooler Motor Company, Paul Manning Chevrolet, Crescent Chevrolet Company, O'Dea Chevrolet Company, Union Motor Company, Chambers Motor Company, and Owen Crist Auto Body Company, Des Moines, Iowa;

I find that the repair of motor trucks, other than those used merely for local retail deliveries, by any of the above companies pursuant to contract, whether oral or written, is contracted for in the prosecution of the war within the meanings of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 26th day of July 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-11253; Filed, July 23, 1944;
11:40 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket 623, et al.]

NORTHWEST AIRLINES, ET AL.

NOTICE OF HEARING ON MILWAUKEE-CHICAGO-NEW YORK SERVICE

In the matter of the applications of Northwest Airlines, Inc., Transcontinental & Western Air, Inc., Colonial Airlines, Inc., American Airlines, Inc., Pennsylvania-Central Airlines Corporation, United Air Lines, Inc., Braniff Airways, Inc., and Chicago and Southern Air Lines, Inc., and Chicago and Southern Air Lines, Inc., for certificates and amendment of existing certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as

amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on August 31, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 27, 1944.
By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11319; Filed, July 29, 1944;
11:06 a. m.]

[Docket 503, et al.]

BRANIFF AIRWAYS, INC., ET AL.

NOTICE OF HEARING ON MEMPHIS-OKLAHOMA CITY-EL PASO SERVICE

In the matter of the applications of Braniff Airways, Inc., American Airlines, Inc., Chicago & Southern Air Lines, Inc., Continental Air Lines, Inc., Delta Air Corporation, Eastern Air Lines, Inc., and the City of Birmingham, Alabama for certificates and amendment of existing certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, and investigation with respect to need for air transportation service.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 or said act, that oral argument in the above-entitled proceeding is assigned to be held in August 9, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated, Washington, D. C., July 27, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11318; Filed, July 29, 1944;
11:06 a. m.]

[Docket 413, et al.]

TRANSCONTINENTAL AND WESTERN AIR, INC.,
AND AMERICAN AIRLINES, INC.

NOTICE OF HEARING ON JOPLIN-TULSA-OKLAHOMA CITY SERVICE

In the matter of the applications of Transcontinental and Western Air, Inc., and American Airlines, Inc., for amendment of existing certificates of public convenience and necessity so as to include Joplin, Mo., Tulsa, Okla., and Oklahoma City, Okla., as intermediate points.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on August 9, 1944, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Consti-

tution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 27, 1944.
By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11317; Filed, July 29, 1944;
11:06 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6043]

UTICA OBSERVER-DISPATCH, INC.

NOTICE OF HEARING

In re application of Utica Observer-Dispatch, Inc. (New); date filed January 15, 1940; for construction permit; class of service, broadcast; class of station, broadcast; location, Utica, New York; operating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for further hearing to be consolidated with the application of Midstate Radio Corporation, Docket No. 6141, for the following reasons:

1. To determine the legal and technical qualifications of the applicant to construct and operate the proposed station.
2. To obtain full information with respect to the nature and character of the proposed program service.
3. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services and media of mass communication are available to those areas and populations.
4. To determine whether a grant of this application would involve a concentration of control of media of mass communication in the proposed service areas contrary to the public interest.
5. To determine whether there is reasonable prospect that the proposed operation in the vicinity in question can be provided for without substantial delay.
6. To determine whether a grant of the instant application will serve an outstanding public need or national interest.
7. To determine whether a grant of the application will be consistent with the policy announced by the Commission in its Supplemental Statement of Policy of January 26, 1944.
8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through granting of this application, or the application of Midstate Radio Corporation (Docket No. 6141) or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a

record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Utica Observer-Dispatch, Inc., 221 Oriskany Plaza, Utica, New York.

Dated at Washington, D. C., July 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-11358; Filed, July 29, 1944;
12:12 p. m.]

[Docket No. 6141]

MIDSTATE RADIO CORPORATION

NOTICE OF HEARING

In re application of Midstate Radio Corporation (New); date filed, April 18, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Utica, New York; operating assignment specified: frequency 1450 kc, power 250 w, hours of operation unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for further hearing to be consolidated with the application of Utica Observer-Dispatch, Inc., Docket No. 6043, for the following reasons:

1. To determine the legal and technical qualifications of the applicant to construct and operate the proposed station.
2. To obtain full information with respect to the nature and character of the proposed program service.
3. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.
4. To determine whether there is reasonable prospect that the proposed operation in the vicinity in question can be provided for without substantial delay.
5. To determine whether a grant of the instant application will serve an outstanding public need or a national interest.
6. To determine whether a grant of the application will be consistent with the policy announced by the Commission in its Supplemental Statement of Policy of January 26, 1944.
7. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the

granting of this application, or the application of Utica Observer-Dispatch, Inc., (Docket No. 6043), or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Midstate Radio Corporation, 307-311 Paul Building, Utica, New York.

Dated at Washington, D. C., July 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-11359; Filed, July 29, 1944;
12:12 p. m.]

FEDERAL POWER COMMISSION.

[Project No. 405]

SUSQUEHANNA POWER CO. AND PHILADELPHIA ELECTRIC POWER CO.

ORDER STAYING FORMER ORDER AND GRANTING APPLICATION FOR REHEARING IN PART

JULY 26, 1944.

Upon consideration of the application of The Susquehanna Power Company and Philadelphia Electric Power Company, filed June 29, 1944, for a rehearing with respect to the Commission's Opinion No. 115 and order of May 23, 1944, (9 F.R. 6037) determining the actual legitimate original cost of Project No. 405, as of December 31, 1932, and prescribing the accounting therefor, and for a stay of the order of May 23, 1944, pending rehearing, and upon consideration of the entire record in this proceeding; and

It appearing to the Commission that: (a) The Licensees' application for rehearing sets forth contentions under Objection No. 3 concerning Interest During Construction—Post-License, and Objection No. 4 concerning Credit for Power Generated, on which a rehearing should be granted;

(b) With the exception of Objection No. 3 and Objection No. 4, the Licensees' application for rehearing does not present or allege any factual or legal contentions which would justify a rehearing;

(c) By Opinion No. 115 and paragraph (G) of the order of May 23, 1944, the Commission reserved consideration of the portions of the claimed cost totaling \$1,301,042.05, incident to the construction of a second track roadbed for the Pennsylvania Railroad, and ordered a further hearing with respect thereto to be held on a date to be set by the Commission;

No. 152—15

The Commission finds that: It is necessary and appropriate that the Licensees' application for rehearing and stay be disposed of as hereinafter provided.

The Commission orders that: (A) A rehearing be held on Objection No. 3 (Interest During Construction—Post-License) and Objection No. 4 (Credit for Power Generated) in the Licensees' application for rehearing, such rehearing to begin at 9:30 a. m. on the 26th day of September 1944, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(B) At the hearing to be held pursuant to paragraph (A) *supra*, the Licensees be given an opportunity to present additional evidence with respect to the portions of the claimed cost totaling \$1,301,042.05 incident to the construction of a second track roadbed for the Pennsylvania Railroad, which were reserved for further hearing by the Commission's Opinion No. 115 and paragraph (G) of its order of May 23, 1944;

(C) The Commission's order of May 23, 1944, be and it hereby is stayed pending further order of the Commission;

(D) The Licensees' application for rehearing and stay, in all other respects, be and it hereby is denied.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11301; Filed, July 29, 1944;
10:03 a. m.]

[Project No. 1835]

PLATTE VALLEY PUBLIC POWER AND IRRIGATION DISTRICT

ORDER GRANTING REHEARING

JULY 26, 1944.

Upon application filed July 15, 1944, by Platte Valley Public Power and Irrigation District for rehearing of the Commission's order of June 7, 1944, denying application for exemption from payment of annual charges due under the license for Project No. 1835 for the years 1941, 1942, and 1943.

The Commission finds that: The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1835 for the years in question;

It is ordered, That: (A) The application for rehearing be and it is hereby granted, and the order of June 7, 1944, requiring the payment of annual charges for the years ended December 31, 1941, 1942, and 1943 in the amounts of \$1,863.53, \$1,664.45, and \$3,015.38, respectively, be and it is hereby stayed pending the final determination of the application for exemption;

(B) A hearing be held on the questions presented at such time and place as may hereafter be fixed by the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11421; Filed, July 31, 1944;
11:04 a. m.]

[Docket No. IT-5549]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF APPLICATION

JULY 31, 1944.

Notice is hereby given that California Electric Power Company, of Riverside, California, has filed an application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U. S. C. 791-825r) for authority to export electric energy across the international boundary line between the United States and Mexico from Calexico, California, to Mexicali, Baja California, Mexico; from Andrade, California, to Algodones, Baja California, Mexico; and from Gadsden, Arizona, to San Luis, Sonora, Mexico, for public utility distribution.

Any person desiring to be heard or to make any protest with reference to said application should, on or before August 16, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations (under the Federal Power Act).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11422; Filed, July 31, 1944;
11:04 a. m.]

[Project No. 463]

MINNESOTA POWER & LIGHT CO.

ORDER POSTPONING HEARING

JULY 28, 1944.

It appearing to the Commission that: (a) On July 21, 1944, the Commission entered an order for hearing in the above-entitled matter to commence August 5, 1944;

(b) On July 27, 1944, the licensee, Minnesota Power & Light Company, filed its application for an indefinite postponement of the hearing scheduled for August 5, 1944.

The Commission finds that: Good cause exists for postponement of said hearing; and

The Commission orders that: The hearing heretofore set for August 5, 1944, in the above-entitled matter, be and the same hereby is postponed to 9:45 a. m., September 8, 1944, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11423; Filed, July 31, 1944;
11:04 a. m.]

[Project No. 346]

MINNESOTA POWER & LIGHT CO.

ORDER POSTPONING HEARING

JULY 28, 1944.

It appearing to the Commission that: (a) On July 21, 1944, the Commission entered an order for hearing in the above-entitled matter to commence August 5, 1944;

(b) On July 27, 1944, the licensee, Minnesota Power & Light Company, filed its application for an indefinite postponement of the hearing scheduled for August 5, 1944.

The Commission finds that: Good cause exists for postponement of said hearing; and

The Commission orders that: The hearing heretofore set for August 5, 1944, in the above-entitled matter, be and the same hereby is postponed to 9:30 a. m., September 8, 1944, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11424; Filed, July 31, 1944;
11:05 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5197]

COAST FISHING CO.

NOTICE OF HEARING

Complaint. The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent Coast Fishing Company is a corporation, organized and existing under the laws of the State of California, with its principal office and place of business located at 621 S. Fries Avenue, Wilmington, California.

PAR. TWO: Respondent Coast Fishing Company is now engaged, and for many years prior hereto has engaged in the business of packing, distributing, and selling canned tuna, canned sardines and canned mackerel and other sea food products (all of which are hereinafter called sea food products) in its own name and for its own account for resale directly to buyers located in states other than the state in which the respondent is established. As a result of respondent's instructions, such sea food products are shipped and transported across state lines to such buyers who are located in various states of the United States, other than the state where the respondent is established.

The respondent, to distinguish its sea food products from the sea food products sold by competitors, and to facilitate sales, utilizes registered and unregistered trade-marks and brands for the various types and grades of sea food products it sells. Among and representative of respondent's well-known brands are:

Coast, Treasure, Abbey Biltmore, Satisfaction, Wave Kissed, King Solomon, Lucky Strike, Flakies.

PAR. THREE: The respondent, since June 19, 1936, in connection with the interstate sale and distribution of sea food products has been and is now paying or granting or has paid or granted, directly or indirectly, commissions, brokerage or other compensation or allowances or discounts in lieu thereof to buyers of said sea food products sold under its own labels, unlabeled and under buyers' labels.

PAR. FOUR: The respondent, since June 19, 1936, has distributed and sold and distributes and sells sea food products directly to certain buyers in interstate transactions as aforesaid and has paid to such buyers commissions or brokerage fees on purchases made by them in their respective names and for their respective accounts. The respondent's method of distribution and sale, as hereinafter illustrated, is representative of the sales methods of a number of West Coast distributors.

The respondent's buyers customarily designate themselves as "brokers", "merchandise brokers", or as "primary distributors", although they are known to the trade as "buying brokers" or "speculative brokers". Such "buying brokers" or "speculative brokers" customarily operate by placing orders for merchandise with those sellers, and only with those sellers, who will grant and pay them commissions or brokerage fees on their own purchases. Some such buyers are large scale buyers and sellers of sea food products distributed under their own private brands, which brands usually show the name and address of the buyer, but not the packer, and identify the merchandise as being the product of the particular buyer who owns the label.

Some such buyers customarily purchase their private brand sea food products from respondent and many other sellers and often during a given season, after shopping the market, will purchase such commodities under the same private brands from several competing sellers, placing their orders where they are able to secure the most favorable prices and terms.

Such buyers place their orders for merchandise with respondent and other sellers, who, on receiving and accepting such orders, deliver the merchandise to a common carrier for delivery, but require that the buyer pay the purchase price as a condition precedent to the delivery of the merchandise. If such merchandise is lost or damaged in transit, such buyers file claims in their own names and collect damages from the carrier for their own account.

On receipt of the merchandise, such buyers insure such merchandise and warehouse it in their own warehouses or in public warehouses, and thereafter generally utilize the warehouse receipts covering the merchandise, together with the insurance contract, as collateral or security to obtain bank loans.

Such buyers mask these operations under the fictionalized designation of "brokers", "merchandise brokers", or "primary distributors", for the sole purpose of coloring the name and method of their operation in order to collect commissions or brokerage fees from respondent and

from other sellers who will pay such buyers commissions or brokerage fees on their own purchases, notwithstanding the fact that it is well known to be the custom of such buyers to invoice and sell such merchandise in their own names, for their own accounts, at their own prices, and on their own terms, and to assume full and complete credit risks.

PAR. FIVE: The acts and practices of the respondent in promoting sales of sea food products by paying to buyers, directly or indirectly, commissions, brokerage or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 27th day of July, A. D. 1944, issues its complaint against said respondent.

Notice. Notice is hereby given you, Coast Fishing Company, a corporation, respondent herein, that the 1st day of September A. D., 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 27th day of July, A. D., 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-11315; Filed, July 29, 1944;
10:19 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 417]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 26, 1944, by Coony and Korshak Company, of car PFE 29684, onions, now on the Chicago Produce Terminal, to Zorovetz and Kamfelbaum Company, Pittsburgh, Pennsylvania (P. R. R.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11309; Filed, July 29, 1944;
10:50 a. m.]

[S. O. 70-A, Special Permit 418]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 26, 1944, by La Mantia Bros. Arrigo Company, of car FGE 16265, peaches, now on the Chicago and Eastern Illinois Railroad, to Shippers Service Company, Detroit, Michigan (Wab.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11310; Filed, July 23, 1944;
10:50 a. m.]

[S. O. 70-A, Special Permit 419]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 26, 1944, by La Mantia Bros. Arrigo Company, of car WFE 67031, peaches, now on the Chicago Produce Terminal, to Levy Bros., Milwaukee, Wisconsin (Milw.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11311; Filed, July 23, 1944;
10:50 a. m.]

[S. O. 70-A, Special Permit 420]

RECONSIGNMENT OF PEACHES AT COLUMBUS, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service

Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Columbus, Ohio, July 26, 1944, by Egan-Tickett and Company, of car FGE 69633, peaches, now on the New York Central Railroad, to Cleveland, Ohio (N. Y. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11312; Filed, July 23, 1944;
10:50 a. m.]

[S. O. 178, 2d Amended Gen. Permit 10]

LOADING OF CANNED PROCESSED CHEESE IN REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with processed cheese in glass or metal containers or the transportation or movement of refrigerator cars so loaded.

This permit shall become effective at 12:01 a. m., July 23, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11313; Filed, July 23, 1944;
10:50 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 123, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LITTLE ROCK AND FORT SMITH, ARK.

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-123 (8 F.R. 16566), filed with the Office of Defense Transportation by the parties subject to said supplementary order, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-123 be, and it hereby is, revoked.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-11389; Filed, July 31, 1944;
10:17 a. m.]

[Supp. Order ODT 8, Rev. 246]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND POINTS IN MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body

or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject thereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office

of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

1. John Giaras, doing business as Lake Shore Motor Transit Lines, St. Joseph, Mich.
2. Oscar C. Selent, doing business as, Midwest Transit Lines, Benton Harbor, Mich.
3. William Edward Bell, doing business as Midway Transit Company, Benton Harbor, Mich.
4. Michigan Tri-State Motor Express (a corporation), Benton Harbor, Mich.
5. Michigan Motor Express (a corporation), Stevensville, Mich.

[F. R. Doc. 44-11390; Filed, July 31, 1944;
10:18 a. m.]

[Supp. Order ODT 3, Rev. 252]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN HOUSTON AND BEAUMONT, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such

¹ Filed as part of the original document.

tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July, 1944.

J. M. JOHNSON,
Director.

Office of Defense Transportation.

APPENDIX 1

Yellow Transit Company (a corporation),
Oklahoma City, Okla.
E. G. Smith, doing business as Southern
Motor Lines, Beaumont, Tex.

[F. R. Doc. 44-11391; Filed, July 31, 1944;
10:18 a. m.]

[Supp. Order ODT 3, Rev. 253]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN INDIANA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6639, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariff or supplements to filed tariffs, setting forth any changes in the rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

¹ Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversions, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of

the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July, 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

American Transport Co., Inc., Marion, Ind.
William S. Ellis and Fay O. Ellis, doing
business as Ellis Trucking Company, Indian-
apolis, Inc.

[F. R. Doc. 44-11392, Filed, July 31, 1944;
10:18 a. m.]

[Supp. Order ODT 3, Rev. 254]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ILLINOIS, INDIANA AND MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be

¹ Filed as part of the original document.

those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William W. Brown, Emily Klekbusch, Vanco Pettenger, Edward Vassaw and Rex Allen, doing business as Saginaw Transfer Company, Saginaw, Mich.

Blue Arrow Transport Lines, Inc., Grand Rapids, Mich.

[F. R. Doc. 44-11393; Filed, July 31, 1944;
10:19 a. m.]

[Supp. Order ODT 3, Rev. 255]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NORTH CAROLINA AND TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require

any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

1. Smith's Transfer Corporation, Lenoir, N. C.

2. Carolina Freight Carriers Corporation, Cherryville, N. C.

[F. R. Doc. 44-11394; Filed, July 31, 1944; 10:19 a. m.]

[Supp. Order ODT 3, Rev. 256]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6669, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any

¹ Filed as part of the original document.

carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

F. S. Willey Company, Inc., doing business as Willey's Express, Cambridge, Mass.
Henry Jenkins Transportation Co., Inc., Mattapan, Mass.

[F. R. Doc. 44-11395; Filed, July 31, 1944; 10:19 a. m.]

[Supp. Order ODT 3, Rev. 257]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN SOUTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible

diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

1. Boineau's, Inc., Columbia, S. C.
2. Carolina Bonded Storage Company (A corporation), Columbia, S. C.
3. Checker Transportation and Storage Company (A corporation), Columbia, S. C.
4. E. W. Morris, doing business as E. W. Morris Trucking, Columbia, S. C.

[F. R. Doc. 44-11396; Filed, July 31, 1944; 10:20 a. m.]

[Supp. Order ODT 8, Rev. 258]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R.

4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for

¹ Filed as part of the original document.

examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. C. L. Cox, doing business as Albany Storage & Furniture Company, Albany, Ga.
2. George E. Johnston, doing business as Albany Transfer Company, Albany, Ga.
3. Jim Denson, doing business as Jim Denson Transfer Company, Albany, Ga.

[F. R. Doc. 44-11397; Filed, July 31, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 259]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN SOUTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the

facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

McAllister Transfer Company, Charleston, S. C.

K. D. Brobston and J. J. Meeks, copartners, doing business as Carolina Dispatching Service, Charleston, S. C.

[F. R. Doc. 44-11393; Filed, July 31, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 260]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NASHVILLE, TENN., AND ST. LOUIS, MO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the suc-

¹ Filed as part of the original document.

cessful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier by reason of a diversion, exchange, pooling or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order.

Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by Further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

Hoover Motor Express Co., Inc. (a corporation), 414 Fifth Avenue, South Nashville, Tenn.

Service Lines, Inc., (a corporation), 600 Ninth Avenue, South, Nashville, Tenn.

Wilson Truck Co., Inc., (a corporation), 310 Fifth Avenue, South, Nashville, Tenn.

[F. R. Doc. 44-11399; Filed, July 31, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 261]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN IOWA AND NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

¹ Filed as part of the original document.

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order

forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Ray S. Baldwin, Hamburg, Iowa.
W. D. Cross, doing business as W. D. Cross Transfer, Sidney, Iowa.

Bernard L. Johnson, doing business as Ben Johnson Coal and Transfer, Essex, Iowa.

R. K. Stevens, doing business as Stevens Transfer, Sidney, Iowa.

Raymond K. Stevens, doing business as Stevens Transfer, Sidney, Iowa.

Watson Bros. Transportation Co., Inc. (a corporation), 802 So. 14 St., Omaha, Nebraska.

[F. R. Doc. 44-11400; Filed, July 31, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 266]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA, AND TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this

order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Great Southern Trucking Company (a corporation), Jacksonville, Fla.

The Mason & Dixon Lines, Incorporated, Kingsport, Tenn.

Smith's Transfer Corporation, Lenoir, N. C.
W. W. Raper, doing business as American Trucking Company, High Point, N. C.

W. W. Miller, Jr., doing business as Miller Motor Express, Charlotte, N. C.

[F. R. Doc. 44-11401; Filed, July 31, 1944; 10:24 a. m.]

[Supp. Order ODT 6A-32]

COMMON CARRIERS

COORDINATED OPERATIONS IN SHELLEYVILLE, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

¹ Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-32" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the

present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

1. Charles A. McLean, doing business as Goggin Truck Line, Shelbyville, Tenn.
2. Andrew B. Crichton, R. M. Crichton, C. N. Crichton, M. E. Crichton, R. B. Crichton and A. B. Crichton, Jr., doing business as Super Service Motor Freight Company, Nashville, Tenn.

[F. R. Doc. 44-11383; Filed, July 31, 1944; 10:24 a. m.]

[Supp. Order ODT 6A-33]

COMMON CARRIERS

COORDINATED OPERATIONS IN FAYETTE COUNTY, PA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar

act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-33" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

1. Atlantic Freight Lines, Inc., Uniontown, Pa.
2. Walter Coldren, Uniontown, Pa.
3. Harry Dull, Connellsville, Pa.
4. Eastern Freight Lines, Inc., Uniontown, Pa.
5. Ralph C. Fike, Uniontown, Pa.
6. John Girard, doing business as John Girard Motor Express, Uniontown, Pa.
7. H. D. Ryan and Lindsay G. Howard, doing business as Keystone Transfer Company, Uniontown, Pa.
8. H. A. Parks and Alonzo Parks, doing business as H. A. Parks & Son, Uniontown, Pa.

¹ Filed as part of the original document.

9. Samuel U. Williams and Harold Williams, doing business as Reliable Transfer Co., Uniontown, Pa.

10. Trolley Transfer Service, Inc., Pittsburgh, Pa.

11. P. J. Vesely and S. F. Vesely, doing business as Vesely Brothers, Fayette City, Pa.

12. J. B. Williams and Arthur R. Williams, doing business as J. B. Williams & Son, Uniontown, Pa.

[F. R. Doc. 44-11384; Filed, July 31, 1944; 10:25 a. m.]

[Supp. Order ODT 6A-34]

COMMON CARRIER

COORDINATED OPERATIONS IN TEXAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to file tariffs or schedules, setting forth any changes in rates, charges, operations, rules regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation

of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-34" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

W. A. Johnson, doing business as Johnson Motor Lines, Fort Worth, Tex.

L. F. Miller and F. D. Miller, doing business as Miller & Miller Motor Freight Lines, Wichita Falls, Tex.

Sunset Motor Lines, San Angelo, Tex.

Merchants Fast Motor Lines, Inc., Fort Worth, Tex.

Vada Mae Garrison Mann, doing business as Levelland Truck Lines, Lubbock, Tex.

Dalby Motor Freight Lines, Inc., Lubbock, Tex.

[F. R. Doc. 44-11385; Filed, July 31, 1944; 10:26 a. m.]

[Supp. Order ODT 6A-35]

COMMON CARRIERS

COORDINATED OPERATIONS IN TERRE HAUTE, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A 8 F.R.

8758, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to file tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for

¹ Filed as part of the original document.

examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-35" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Decatur Cartage Company (a corporation),
Terre Haute, Ind.

Gerard Motor Express, Inc., Terre Haute,
Ind.

[F. R. Doc. 44-11386; Filed, July 31, 1944;
10:26 a. m.]

[Supp. Order ODT 6A-36]

COMMON CARRIERS

COORDINATED OPERATIONS IN KEARNEY, NEBR.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, opera-

tions, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-36" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John Brown and Alvin H. Brown, doing
business as Brown Transfer, Kearney, Nebr.
E. W. Calvert, doing business as Calvert's
Transfer, Kearney, Nebr.

[F. R. Doc. 44-11387; Filed, July 31, 1944;
10:27 a. m.]

[Supp. Order ODT 6A-37]

COMMON CARRIERS

COORDINATED OPERATIONS IN SEATTLE, WASH.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation to any

¹ Filed as part of the original document.

provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-37" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Inland Motor Freight (a corporation), Spokane, Wash.

Pacific Highway Transport, Inc., Seattle, Wash.

[F. R. Doc. 44-11388; Filed, July 31, 1944; 10:27 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1949]

PIANO PARTS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1949 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustable pricing on sales of certain piano parts.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the

Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Scope of this order.* This order applies only to sales by manufacturers of the piano parts covered by this order. The piano parts covered by this order are:

- Keys, actions and action brackets.
- Hammers.
- Sounding boards.
- Plates.
- Pedals.
- Tuning pins.
- Custom-built wood parts and cases.

and all other piano parts which are used exclusively in the manufacture of pianos and whose sales are not covered by any price regulation issued by the Office of Price Administration other than Maximum Price Regulation No. 188.

This order does not cover:

- Lumber (except custom-built wood parts and cases).
- Glue.
- Finishing materials.
- Small hardware.

or any other part which is either not used exclusively in the manufacture of pianos or whose sales are covered by any price regulation issued by the Office of Price Administration other than Maximum Price Regulation No. 188.

This order applies only to sales made to manufacturers of pianos who will use the parts for the manufacture of new pianos and does not apply to sales of parts to purchasers who buy these parts for resale or for reconditioning of used pianos.

(b) *Adjustable pricing permitted by this order.* A manufacturer of piano parts may, after the effective date of this order, offer to sell, enter into contracts, and deliver the piano parts covered by this order at the existing maximum price and agree with the purchaser that the price charged for such parts may be increased to the extent that an increase in the maximum price for piano parts may be allowed by the Office of Price Administration by an order with an effective date within the calendar year 1944. Until such an order has been issued, the seller may not charge and the buyer may not pay any amount which exceeds the seller's existing maximum price.

(c) In order to be eligible for the adjustment, any manufacturer of piano parts, who proposes to collect the additional amount which may be allowed by the Office of Price Administration, must

indicate on each invoice covering such parts, his intention to charge the additional amount by a statement in the following form:

The prices on this invoice are at or below the ceiling prices fixed in Office of Price Administration Maximum Price Regulation No. 183. In accordance with Order No. 1949 under that regulation, the purchaser is to pay any additional amount for piano parts permitted to be collected by the Office of Price Administration in an order effective during 1944.

(d) This Order No. 1949 may be revoked or amended by the Price Administrator at any time and expires on December 31, 1944.

This Order No. 1949 shall become effective July 28, 1944.

Issued this 28th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11223; Filed, July 23, 1944; 4:39 p. m.]

[MPR 120, Order 824]

BETHEL COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 884 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

BETHEL COAL COMPANY, 4516 COMMERCIAL ST., FAIRFIELD, ALA., BETHEL MINE, BLACK CREEK SEAM, MINE INDEX No. 237, WALKER COUNTY, ALA., RAIL SHIPPING POINT: DOTHAN, ALA., STEEP MINE

	Size group Nos.						
	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel price group 7.....	525	515	505	490	480	470	460
Truck shipment price group 1.....	530	520	510	495	485	475	465

DAVIDSON COAL CO., 801 COMER BLDG., BIRMINGHAM, ALA., PALOS MINE, MARY LEE SEAM, MINE INDEX No. 2025, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT: PALOS, ALA., DEEP MINE

	Size group Nos.						
	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel price group 1.....	355	355	343	350	340	345	335
Truck shipment price group 7.....	425	440	420	385	375	380	345

DEBARDELEBEN COAL CORPORATION, TRANSPORTATION BLDG., BIRMINGHAM (3), ALA., CORONA #18 MINE, CORONA SEAM, MINE INDEX No. 2026, WALKER COUNTY, ALA., RAIL SHIPPING POINT: COAL VALLEY, ALA., STRIP MINE

Rail shipment and railroad fuel price group 4.....	425	415	405	405	395	395	385
Truck shipment price group 5.....	470	465	455	420	410	415	395

DEBARDELEBEN COAL CORPORATION, TRANSPORTATION BLDG., BIRMINGHAM (3), ALA., CORONA #19 MINE, CORONA SEAM, MINE INDEX No. 2027, WALKER COUNTY, ALA., RAIL SHIPPING POINT: COAL VALLEY, ALA., DEEP MINE

Rail shipment and railroad fuel price group 4.....	425	415	405	405	395	395	385
Truck shipment price group 5.....	470	465	455	420	410	415	395

MITCHELL BROS. CONSTRUCTION CO., 3828 AVENUE A, BIRMINGHAM (6), ALA., MITCHELL #1 MINE CARTER SEAM, MINE INDEX No. 2014, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., STRIP MINE

Rail shipment and railroad fuel price group 7.....	565	515	505	440	430	430	420
Truck shipment price group 3.....	500	490	470	440	430	420	410

MITCHELL BROS. CONSTRUCTION CO., 3828 AVENUE A, BIRMINGHAM (6), ALA., MITCHELL #2 MINE, MILLDALE SEAM, MINE INDEX No. 2024, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., STRIP MINE

Rail shipment and railroad fuel price group 7.....	565	515	505	440	430	430	420
Truck shipment price group 3.....	500	490	470	440	430	420	410

TAYLOR & ROBBINS COAL CO., ONEONTA, ALA., SOUTHVIEW MINE, UNDERWOOD SEAM, MINE INDEX No. 2018, BLOUNT COUNTY, ALA., RAIL SHIPPING POINT: TAITS GAP, ALA., STRIP MINE

Rail shipment and rail shipment fuel price group 9.....	485	460	450	410	400	400	390
Truck shipment price group 4.....	490	460	440	415	405	405	395

WADE & RICHEY, P. O. BOX 742, BIRMINGHAM, ALA., No. 1 MINE, BLACK CREEK SEAM, MINE INDEX No. 2030, WALKER COUNTY, ALA., RAIL SHIPPING POINT: SUMITON, ALA., STRIP MINE

Rail shipment and rail shipment fuel price group 7.....	565	515	505	440	430	430	420
Truck shipment price group 1.....	590	480	460	445	435	420	410

NOTE: The maximum prices established by this order include the adjustment authorized by Amendment No. 106 to maximum price regulation No. 120 issued July 7, 1944. Effective July 12, 1944.

This order shall become effective July 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11370; Filed, July 29, 1944,
4:26 p. m.]

[MPR 475, Order 2]

DRIED FRUITS, 1943 AND LATER CROPS ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in

accordance with section 12 of Maximum Price Regulation No. 475, It is ordered:

(a) That sales and deliveries of the dried fruits named in Maximum Price Regulation No. 475 of the 1944 crop may be made by packers to government procurement agencies, subject to an agreement between the buyer and seller, in each case, that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In any such sale the packer shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of new maximum prices for the commodities referred to in paragraph (a).

This order may be revoked or amended by the Price Administrator at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 20th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11371; Filed, July 29, 1944;
4:27 p. m.]

[Max. Import Price Reg., Order 27]

POTATO BARRELS

AUTHORIZATION OF MAXIMUM PRICES

Order No. 27 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, It is ordered:

The Regional Administrator for Region I is authorized to establish maximum prices or pricing methods for the sale, by any person, in the State of Maine, of potato barrels manufactured in Canada and imported into the United States from Canada.

This order may be revoked or amended at any time.

This order shall become effective July 29, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11369; Filed, July 29, 1944;
4:26 p. m.]

[MPR 134, Amdt. 1 to Order 1]

BROWNING-FERRIS MACHINERY CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1 Under Maximum Price Regulation No. 134. Construction and road maintenance equipment, rental prices and operating or maintenance service charges. Browning-Ferris Machinery Co. Docket No. 3134-27.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) is amended to read as follows:

(a) The Browning-Ferris Machinery Co., 205 Exposition Avenue, Dallas, Texas, is authorized to increase its mechanics' service rates for the repair of construction and road maintenance equipment to an amount not to exceed \$1.65 per hour for straight time, and \$2.48 per hour for overtime.

This amendment shall be effective as of May 13, 1943.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11366; Filed, July 29, 1944;
4:25 p. m.]

[MPR 134, Amdt. 1 to Order 2]

McCLURE-HARRIS CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 2 under Maximum Price Regulation 134. Construction and road maintenance equipment rental prices and operating or maintenance service charges. McClure-Harris Company. Docket No. 3134-28.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) is amended to read as follows:

(a) The McClure-Harris Company, 1324-26 West Erwin Street, Tyler, Texas, hereby is authorized to increase its mechanics' service rates for the repair of construction and road maintenance equipment to an amount not to exceed \$1.65 per hour for straight time, and \$2.48 per hour for overtime.

This amendment shall be effective as of May 13, 1943.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11367; Filed, July 29, 1944;
4:25 p. m.]

[MPR 134, Amdt. 1 to Order 3]

SHAW EQUIPMENT CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 3 under Maximum Price Regulation No. 134. Construction and road maintenance equipment rental prices and operating or maintenance service charges. Shaw Equipment Company Docket No. 3134-29.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) is amended to read as follows:

(a) The Shaw Equipment Company, 2510 South Lamar, Dallas, Texas, is authorized to increase its mechanics' service rates for the repair of construction and road maintenance equipment to an amount not to exceed \$1.65 per hour for

No. 152—17

straight time, and \$2.48 per hour for overtime.

This amendment shall be effective as of May 13, 1943.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11368; Filed, July 29, 1944;
4:26 p. m.]

[MPR 183, Order 1976]

WESTING HOMECRAFT SHOP

APPROVAL OF MAXIMUM PRICES

Order No. 1975 under § 1499.158 of Maximum Price Regulation No. 183. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a folding nursery chair manufactured by Westing Homecraft Shop.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a folding nursery chair manufactured by Westing Homecraft Shop, 3611 Sixth Avenue, Des Moines, Iowa.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 183, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Folding Nursery Chair,		Each \$2.18	Each \$2.57

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allow-

ances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.153, of Maximum Price Regulation No. 183, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Folding nursery chair,		Each \$2.57

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11433; Filed, July 31, 1944;
11:42 a. m.]

[MPR 183, Order 1976]

FLUORESCENT LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1976 under § 1499.158 of Maximum Price Regulation No. 183. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval

of maximum prices for sales of a play pen manufactured by Fluorescent Lighting Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a play pen manufactured by Fluorescent Lighting Company, 11 Pleasant Street, Monticello, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Play pen.....		Each \$4.93	Each \$5.80

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

A title	Model No.	Maximum price to retailers
Play pen.....		Each \$5.80

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS,
Acting Administrator.

[F. R. Doc. 44-11434; Filed, July 31, 1944; 11:43 a. m.]

[MPR 188, Order 1977]

W. P. GUNN

APPROVAL OF MAXIMUM PRICES

Order No. 1977 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of juvenile table and chair sets and a juvenile porch swing manufactured by W. P. Gunn.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of juvenile table and chair sets and a juvenile porch swing manufactured by W. P. Gunn, Cornelia, Georgia.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to

retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile table and chair set.....	2E-3	Each \$1.03	Each \$2.33
Juvenile table and chair set.....	2E-4	2.43	2.92
Juvenile porch swing.....	2E-2	2.69	3.16

These prices are f. o. b. factory, and subject to a cash discount of two percent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model	Maximum price to retailers
Juvenile table and chair set.....	2E-3	Each \$2.33
Juvenile table and chair set.....	2E-4	2.92
Juvenile porch swing.....	2E-2	3.16

These prices are subject to a cash discount of two percent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions

of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-11435; Filed, July 31, 1944;
11:43 a. m.]

Regional and District Office Orders.

[Region II Order G-37 Under RMPR 122,
Amdt. 1]

SOLID FUELS IN DESIGNATED COUNTIES IN NEW YORK

Amendment No. 1 to Order No. G-37 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Ulster, Warren, and Washington Counties, State of New York, Coal Area VI.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-37 is amended in the following respects:

1. Paragraph (a) (1) is amended by revising the description of Zones 1, 4, 6 and 7 to read as follows:

Zone 1. Zone 1 includes Albany County, except that portion lying north of Menands Road which is bounded on the west by Route 9; and includes the City of Rensselaer and the Towns of East Greenbush, Nassau, Sandlake, Shodack and Stephentown in Rensselaer County.

Zone 4. Zone 4 includes Fulton County.

Zone 6. Zone 6 includes all of Warren and Washington Counties, the Towns of Berlin, Hoosick and Petersburg in Rensselaer County and the Towns of Corinth, Day, Edinburgh, Hadley and Moreau in Saratoga County.

Zone 7. Zone 7 includes the City of Troy and the Towns of Brunswick, Grafton, North Greenbush, Pittstown, Poestenkill and Schaghticoke in Rensselaer County, the Towns of Waterford and Half Moon, and the City of Mechanicville in Saratoga County, and that portion of Albany County lying north of Menands Road which is bounded on the west by Route 9.

2. Paragraph (g) (1) is amended by revising the service charge for deliveries involving hauling beyond five miles from dealer's yard, to read as follows:

(g) Schedule IV.

MAXIMUM AUTHORIZED SERVICE CHARGES

*Special service rendered at the request of
the purchaser*

<p>For deliveries involving hauling beyond five miles from dealer's yard.</p>	<p>15¢ per net ton for each mile or fraction thereof beyond five miles from dealer's yard, <i>Provided</i>, That dealers without direct rail facilities to their yard, who receive anthracite that has been shipped from the mine by rail (either by trucking it from a railroad siding or from another coal yard having direct rail facilities) shall calculate this charge on the basis of the haulage distance from the railroad siding or rail yard to the customer's premises; <i>Provided, further</i>, That the haulage charge shall in no event exceed \$1.50 per net ton.</p>
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3. Paragraph (m) (1) is amended by revising the service charge for deliveries involving hauling beyond five miles from dealer's yard to read as follows:

(m) Schedule X.

MAXIMUM AUTHORIZED SERVICE CHARGES

*Special service rendered at the request of
the purchaser*

<p>For deliveries involving hauling beyond five miles from dealer's yard.</p>	<p>50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard, <i>Provided</i>, That dealers without direct rail facilities to their yard, who receive anthracite that has been shipped from the mine by rail (either by trucking it from a railroad siding or from another coal yard having direct rail facilities) shall calculate this charge on the basis of the haulage distance from the railroad siding or rail yard to the consumer's premises; <i>Provided, further</i>, That the haulage charge shall in no event exceed \$1.50 per net ton.</p>
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4. Paragraph (n) (1) is amended by revising the service charge for deliveries involving hauling beyond 2½ miles from dealer's yard, to read as follows:

(n) Schedule XI.

MAXIMUM AUTHORIZED SERVICE CHARGES

*Special service rendered at the request of
the purchaser*

<p>For deliveries involving hauling beyond 2½ miles from dealer's yard.</p>	<p>10¢ per net ton for each mile or fraction thereof beyond 2½ miles from dealer's yard, <i>Provided</i>, That dealers without direct rail facilities to their yard, who receive anthracite that has been shipped from the mine by rail (either by trucking it from a railroad siding or from another coal yard having direct rail facilities) shall calculate this charge on the basis of the haulage distance from the railroad siding or rail yard to the consumer's premises; <i>Provided, further</i>, That the haulage charge shall in no event exceed \$1.50 per net ton.</p>
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This Amendment No. 1 to Order No. G-37 shall become effective July 20, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-11280; Filed, July 28, 1944;
1:38 p. m.]

[Region III Order G-11 Under RMPR 122]

SOLID FUELS IN DAYTON, OHIO

Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels

in the City of Dayton in the State of Ohio.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Dayton in the State of Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the City of Dayton, in the State of Ohio; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-11; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis. All prices are for sales on a net ton basis.

SCHEDULE I

Column I	Column II
I. High volatile bituminous coals from producing District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, and northeastern Tennessee) excluding Mine Index Nos. 246, 213, 127 and 370: ¹	
A. Lump. Size Group Nos. 1 and 2 (larger than 3"):	
1. Mine Price Classifications B through J.....	\$8.75
2. Mine Price Classifications K and lower.....	8.50
B. Egg. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) Mine Price Classifications B through N.....	8.40
C. Egg. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) Mine Price Classifications E through N.....	7.00
D. Stoker. Size Group No. 10 (top size 1½" and smaller x bottom size ½" and larger) Mine Price Classifications B through E.....	8.25
E. To the prices stated in sections A, B, C and D of Part I may be added \$.15 per ton provided the coal is mined in sub-district 6 of Producing District No. 8, and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High volatile lump coals from producing District No. 4 (Ohio) excluding Mine index No. 73:	
A. Size Group No. 2 (bottom size larger than 2" but not exceeding 5") from the Hocking Freight Origin district.....	7.00
III. Low volatile bituminous coals from Producing District No. 7 (southern West Virginia and western Virginia) excluding Mine Index No. 73: ¹	
A. Lump and egg. Size group Nos. 1 and 2 (Lump: bottom size larger than screened run of mine; egg: top size larger than 3" x bottom size no limit):	
1. Mine Price Classification A.....	9.50
2. Mine Price Classifications B and C.....	9.35
B. Stove. Size Group No. 3 (Dedusted screenings: top size larger than 1½" but not exceeding 3" x bottom size smaller than 3") Mine Price Classification A.....	9.30
C. Stoker. Size Group No. 5 (Pea or dedusted screenings: top size not exceeding ¾" x bottom size smaller than ¾") Mine Price Classification A.....	8.35

¹ In accordance with Regional Supplementary Order No. 3, \$.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing, and if such a charge is separately stated on the dealer's invoice.

(2) *Discounts for yard sales.* All prices quoted in Column II shall be subject to a discount of \$1.00 per ton to dealers buying for resale.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) *Prices for sales not covered by this order.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-11 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Per ton
Wheel-in and carry from curb..... \$0.50
Carry up or down one flight of stairs... .75

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, it need not be so stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provisions thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Cincinnati District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of

any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, chuting or shoveling the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, shall apply to terms used herein, and in full force and effect.

(c) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G-11 under Revised Maximum Price Regulation No. 122 shall become effective August 3, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 20, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-11281; Filed, July 28, 1944;
1:40 p. m.]

[Region III Order G-20 Under 18 (c),
Amdt. 6]

FLUID MILK IN MICHIGAN

Amendment No. 6 to Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended in the following respects:

(a) The counties of Branch, Hillsdale and Shiawassee are hereby deleted from the list of counties set forth in paragraph 2 of Schedule A and said counties are added to the list of counties set forth in paragraph 3 of Schedule A.

This amendment shall become effective July 20, 1944.

(56 Stat. 23, 765; 57, Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 20, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-11282; Filed, July 28, 1944;
1:39 p. m.]

[Region III Order G-21 Under RMPR 122,
Amdt. 3]

SOLID FUELS IN ALLIANCE, OHIO

Amendment No. 3 to Order No. G-21 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Alliance, in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.254 and § 1340.260 of Revised Maximum Price Regulation No. 122, *it is hereby ordered*, That Order No. G-21 under Revised Maximum Price Regulation No. 122, be amended in the following respects:

The title heretofore used in Order No. G-21 and in amendments thereto, reading as follows: "Maximum Prices for Specified Solid Fuels in the City of Alliance in the State of Ohio," is amended by changing the same to read as follows: "Maximum Prices for Specified Solid Fuels in the Alliance, Ohio, Area."

Section (c) is amended to read as follows:

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum gross prices for sales of specified sizes, kinds and quantities of solid fuels on a "direct delivery" basis. All prices are for credit sales on a net ton basis subject to discounts hereinafter set forth.

ALLIANCE, OHIO, AREA—SCHEDULE I

Maximum price
per net ton

- I. High volatile bituminous coals from producing District No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee)¹
 - A. Lump—Size group Nos. 1 and 2 (larger than 3")
 1. Mine Price Classifications E through J, excepting Mine Index No. 413)..... \$9.03
 2. Mine Price Classifications K through O..... 8.80
 - B. Egg—Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")—Mine Price Classifications G through L..... 8.55
 - C. To the prices stated in paragraphs A and B of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.

ALLIANCE, OHIO, AREA—SCHEDULE I—Con.

Maximum price
per net ton

- II. High volatile bituminous coals from producing District No. 4 (Ohio) excluding Mine Index Nos. 42 and 55:
 - A. Lump:
 1. From the Ohio No. 8 Freight Origin District:
 - a. Size group No. 1 (larger than 5")..... \$7.05
 - b. Size group No. 2 (larger 2" but not exceeding 5")..... 6.90
 - c. Size group No. 3 (larger than 1½" but not exceeding 2")..... 6.65
 2. From the Middle Freight Origin District:
 - a. Size group No. 1 (larger than 5")..... 6.95
 - b. Size group No. 2 (larger than 2" but not exceeding 5")..... 6.85
 - c. Size group No. 3 (larger than 1½" but not exceeding 2")..... 6.65
 - B. Egg—From the Ohio No. 8 Freight Origin District:
 1. Size group No. 2 (double screened; bottom size larger than 2")..... 6.90
 2. Size group No. 3 (double screened; bottom size larger than 1½" but not exceeding 2")..... 6.60
 - C. Stoker—From the Ohio No. 8 Freight Origin District Size group No. 5 (double screened; top size 2" and smaller)..... 6.70
- III. High volatile lump coals from producing District No. 2 (western Pennsylvania) Size group No. 2 (larger than 2" but not exceeding 5") Mine Price Classification A..... 7.95

¹In accordance with Regional Supplementary Order No. 3, 0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing and if such charge is separately stated on the dealer's invoice.

This Amendment No. 3 to Order No. G-21 under Revised Maximum Price Regulation No. 122 shall become effective July 20, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 20, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-11283; Filed, July 23, 1944;
1:39 p. m.]

[Region IV Order G-6 Under RMPR 122,
Amdt. 1]

SOLID FUELS IN SAVANNAH, GA.

Amendment No. 1 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *it is hereby ordered*: That sub-paragraph (c) (2) be amended to read as set forth below:

(2) *Sale of coal in sacks.* Dealer may charge not more than 75 cents for 80 lb. sack of any kind of coal—including

sack—listed in the above schedule. This price of 75 cents for 80 lb. sack of coal—including sack—is limited to quantities of not more than 5 sacks to a customer in a single delivery. Single deliveries of more than 5 sacks to a customer shall take the prices otherwise specified in the order.

This Amendment No. 1 to Order No. G-6 under Revised Maximum Price Regulation No. 122 shall become effective July 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this July 19, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-11284; Filed, July 28, 1944;
1:37 p. m.]

[Region VIII Order G-1 Under MPR 425]

BLACK RASPBERRIES IN SCHOLLS, ORE., AREA

Order No. G-1 under section 15 (b) of Maximum Price Regulation 425, as amended. Fresh fruits, berries, and vegetables for processing.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by section 15 (b) of Maximum Price Regulation 425, *it is hereby ordered:*

(a) That in the case of black raspberries produced in the area surrounding the town of Scholls in the State of Oregon, the definition of "delivered to customary receiving points" in section 3, and of "customary receiving point" in section 4 do not apply, and that for the producing area surrounding the town of Scholls in the State of Oregon, processor's customary receiving points are the places, where in the past, they have customarily received the raw materials, whether or not they maintain facilities for grading, weighing, repacking, and leading onto their own conveyances, at that point.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective July 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of July 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-11285; Filed, July 28, 1944;
1:43 p. m.]

[Region VIII Rev. Order G-7 Under 18 (c)]

FIREWOOD IN METROPOLITAN SEATTLE AREA, WASH.

Revised Order No. G-7 under § 1499.18 (c) as amended of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and

under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32, and the authority reserved by paragraph (g) of Order Number G-7; *it is hereby ordered:*

(a) The maximum prices for sales and deliveries in the Metropolitan Seattle area of the types and kind of firewood specified in this Revised Order No. G-7 as established by § 1499.2 or § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted to the maximum prices provided in this Revised Order No. G-7: *Provided, however,* That the area maximum prices established by this Revised Order No. G-7 shall have no application to sales or delivery of the types and kinds of firewood by the producing mill.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below.

(1) "Metropolitan Seattle Area" means the area within the corporate limits of the City of Seattle, Washington, and the area within a radius of five miles of the City of Seattle, Washington, excluding, however, that portion of the area within a radius of five miles of the corporate limits of the City of Seattle which lies east of the eastern shoreline of Lake Washington and that portion east of Rainier Avenue or State Highway No. 5, south of Bryn Mawr, Washington.

(2) "Locally produced firewood" means all wood fuels of the types and kinds described in Revised Order No. G-7 produced by mills located within the corporate limits of the City of Seattle or within an area within a radius of five miles from the corporate limits of the City of Seattle, Washington.

(3) "Imported firewood" means all wood fuels of the types and kinds described in Revised Order No. G-7 produced by mills located outside the area within a radius of five miles of the corporate limits of the City of Seattle, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet of loose measure. Reference is made to the definition of the term "cord" set forth in section 19 of Chapter 194 of the Laws of the State of Washington, 1927, relating to Weights and Measures, which definition is incorporated herein by reference as if set forth in full.

(5) "Consumer" means all ultimate users including domestic, industrial and commercial users.

(6) "Dry wood" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air-dried wood may not be sold as dried wood unless it has been seasoned for a period of not less than three months.

(c) The maximum prices for the kinds and types of locally produced wood described in Table I set forth below, delivered to the premises of the consumer within the corporate limits of the City of Seattle shall be the prices set forth in

the appropriate column and line of Table I.

TABLE I
LOCALLY PRODUCED WOOD—GREEN

Type of wood	Lengths	Maximum prices	
		1 cord units	½ cord units
Edgings.....	24" or less...	\$8.50	\$3.75
Mixed mill or slabwood.	24" or less...	7.50	4.25
Inside block, light or heavy and planer ends.	24" or less...	9.50	5.25
Slabwood or mixed millwood light or heavy.	4 foot.....	7.50	4.25

(d) The maximum prices for the kinds and types of imported firewood described in Table II set forth below, delivered to the premises of the consumer within the corporate limits of the City of Seattle shall be the prices set forth in the appropriate column and line of Table II: *Provided, however,* That the maximum prices set forth in Table II may be increased by \$0.50 per cord where the dealer's cost includes rail transportation from the point of production to the dealer's yard at a rail carload transportation rate exclusive of rack charges or transportation tax in excess of \$1.01 per cord.

TABLE II
IMPORTED FIREWOOD—GREEN

Type of wood	Lengths	Maximum prices	
		1 cord units	½ cord units
Mixed millwood or slabwood.	24" or less...	\$8.50	\$4.75
Inside block or planer ends.	24" or less...	9.50	5.25

(e) The maximum prices for the kinds and types of firewood described in Table III set forth below secured from all sources, delivered to the premises of the consumer within the corporate limits of the City of Seattle, shall be the prices set forth in the appropriate column and line of Table III.

TABLE III
DRY WOOD—ALL SOURCES

Type of wood	Lengths	Maximum prices		
		1 cord units	½ cord units	¼ cord
Edgings.....	24" or less...	\$10.50	\$5.75	\$3.40
Mixed millwood or slabwood; inside block; and planer ends.	24" or less...	12.50	6.75	3.60
Mixed millwood or slabwood.	4 foot.....	10.50	5.75	.....

(f) *Additions.* (1) For sales delivered to the premises of the consumer outside the corporate limits of the City of Seattle but within a radius of 5 miles from the corporate limits of the City of Seattle excluding that portion of the area which lies east of the eastern shoreline of Lake Washington and that portion of the area which lies east of Rainier Avenue or

State Highway No. 5, south of Bryn Mawr, Washington. The maximum prices shall be the prices set forth in paragraphs (c), (d), and (e), plus the sum of \$.50 per cord.

(2) Where the physical conditions of the consumer's premises are such that the wood fuel can not be dumped on the premises of the consumer but must be thrown from the truck into the consumer's bin or other storage facility, the maximum prices provided in paragraphs (c), (d), and (e) may be increased by \$.50 per cord if the sale is in cord units or by \$.25 per $\frac{1}{2}$ cord if the sale is in $\frac{1}{2}$ cord units, or by \$.15 per $\frac{1}{4}$ cord, if the sale is in $\frac{1}{4}$ cord units.

(g) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

- (1) The date of sale,
- (2) The name and address of the buyer and seller,
- (3) The quantity of firewood sold,
- (4) Description of firewood sold, in the same manner as it is described in this order (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.),
- (5) Place of sale (If the price is dependent on place of delivery, then the place of delivery shall be stated), and
- (6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(h) This order may be revoked, amended or corrected at any time. The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order G-7 shall become effective July 14, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of July 1944.

R. E. MORGAN,
Acting District Director.

[F. R. Doc. 44-11286; Filed, July 28, 1944; 1:36 p. m.]

[Charlotte Order G-1 Under Gen. Order 50]
MALT AND CEREAL BEVERAGES IN CHARLOTTE,
N. C.

Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in certain areas.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Charlotte District Office of Region IV of the Office of Price Ad-

ministration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

Section 1. Purpose of order. It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away.

Sec. 2. Geographical applicability. The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of North Carolina:

Alexander, Alleghany, Anson, Ashe, Avery, Buncombe, Burke, Cabarrus, Caldwell, Catawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Graham, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenburg, Mitchell, Montgomery, Polk, Randolph, Richmond, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Swain, Transylvania, Union, Watauga, Wilkes, Yadkin, and Yancey,

Sec. 3. Ceiling prices. (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage, you may make application to the Charlotte District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Charlotte District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

Sec. 4. How to figure your ceiling prices. (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April

4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seems to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1-B.* Your establishment belongs to Group 1-B, if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1-B establishments.

(2) *Group 2-B.* Your establishment belongs to Group 2-B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2-B establishments, but were less than those provided in Appendix A for Group 1-B establishments.

(3) *Group 3-B.* Your establishment belongs to Group 3-B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2-B establishments. All establishments not in operation during the base period of April 4-10, 1943 also belong to Group 3-B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, and, if the nearest similar eating or drinking establishment of the same type as yours is one which is properly classified in Group 1-B or Group 2-B, you must file an application with the Charlotte District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3-B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5. Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

Sec. 5. Filing with War Price and Rationing Board. When you have figured

your proper group under section 4 above, you must, on or before July 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

Sec. 6. Modification of prices. After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the district in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the district.

Sec. 7. Exempt sales. The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4-1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and

subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No private club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

Sec. 8. Evasion. If you are an operator of an eating or drinking establishment, you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

Sec. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order, you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4-1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

Sec. 10. Posting of prices. If you are an operator of an eating and drinking establishment, you must post, and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the estab-

lishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer, you may use a similar sign furnished by the Office of Price Administration.

Sec. 11. Posting of group number. If you operate an eating or drinking establishment selling at retail beverages subject to this order, you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

Sec. 12. Receipts and sales slips. Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

Sec. 13. Operation of several places. If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

Sec. 14. Enforcement. If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 15. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

Sec. 16. Relation to other maximum price regulations. This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4-1.

Sec. 17. Definitions. (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those com-

monly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means disposed by a seller at retail from any container of $\frac{1}{2}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

(h) "Legal ceiling price" or "legally established ceiling price" means the maximum ceiling price as calculated under the provisions of Maximum Price Regulation No. 259, Domestic Malt Beverages. To determine your "legally established ceiling price" in effect during the base period April 4-10, 1943, for a particular brand and type of domestic malt beverage, you must use the pricing rules contained in Maximum Price Regulation No. 259.

SEC. 18. Petitions for amendment. Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Charlotte District Office.

SEC. 19. Revocation and amendment. This order may be revoked, amended, or corrected at any time.

SEC. 20. Effective date. This order shall become effective July 10, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina, this 30th day of June 1944.

L. WILLIAM DRISCOLL,
District Director.

APPENDIX A
GROUP 1-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	<i>Cents</i>	<i>Cents</i>
Ballantine-Brucks.....	25	50
Barbarossa-Breidts.....	25	50
Blatz Pilsner.....	25	50
Budweiser.....	25	50
Canadian Ace.....	25	50
Miller's High Life.....	25	50
National Premium.....	25	50
Pabst Blue Ribbon.....	25	50
Schlitz.....	25	50
Tru-Blu.....	25	50
Ale:		
Ballantine.....	25	50
Ballantine Pale Dry Indian.....	25	50
Canadian Ace.....	25	50
Carling's Red Cap.....	25	50
Champ.....	25	50
Kreuger Cream.....	25	50
Red Top.....	25	50
Imported beer:		
Carta Blanca.....	30	-----
All other brands not listed above, including unlabelled beer and ale.....	20	45
Draught beer (includes tax):	<i>Cents</i>	
6-ounce glass.....	7	
8-ounce glass.....	10	
10-ounce glass.....	12	
12-ounce glass.....	14	
14-ounce glass.....	16	
16-ounce glass.....	18	
20-ounce glass.....	22	
24-ounce glass.....	26	
All other sizes 1¢ per ounce.		

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	<i>Cents</i>	<i>Cents</i>
Ballantine-Brucks.....	20	45
Barbarossa-Breidts.....	20	45
Blatz Pilsner.....	20	45
Budweiser.....	20	45
Canadian Ace.....	20	45
Miller's High Life.....	20	45
National Premium.....	20	45
Pabst Blue Ribbon.....	20	45
Schlitz.....	20	45
Tru-Blu.....	20	45
Ale:		
Ballantine.....	20	45
Ballantine Pale Dry Indian.....	20	45
Canadian Ace.....	20	45
Carling's Red Cap.....	20	45
Champ.....	20	45
Kreuger Cream.....	20	45
Red Top.....	20	45
Imported beer:		
Carta Blanca.....	30	-----
All other brands not listed above, including unlabelled beer and ale.....	15	40
Draught beer (includes tax):	<i>Cents</i>	
6-ounce glass.....	6	
8-ounce glass.....	09	
10-ounce glass.....	11	
12-ounce glass.....	13	
14-ounce glass.....	15	
16-ounce glass.....	17	
20-ounce glass.....	21	
24-ounce glass.....	25	
All other sizes 1¢ per ounce.		

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3-B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	<i>Cents</i>	<i>Cents</i>
Ballantine-Brucks.....	18	40
Barbarossa-Breidts.....	18	40
Blatz Pilsner.....	18	40
Budweiser.....	18	40
Canadian Ace.....	18	40
Miller's High Life.....	18	40
National Premium.....	18	40
Pabst Blue Ribbon.....	18	40
Schlitz.....	18	40
Tru-Blu.....	18	40
Ale:		
Ballantine.....	18	40
Ballantine Pale Dry Indian.....	18	40
Canadian Ace.....	18	40
Carling's Red Cap.....	18	40
Champ.....	18	40
Kreuger Cream.....	18	40
Red Top.....	18	40
Imported beer:		
Carta Blanca.....	30	-----
All other brands not listed above, including unlabelled beer and ale.....	13	35
Draught beer (includes tax):	<i>Cents</i>	
6-ounce glass.....	6	
8-ounce glass.....	9	
10-ounce glass.....	11	
12-ounce glass.....	13	
14-ounce glass.....	15	
16-ounce glass.....	17	
20-ounce glass.....	21	
24-ounce glass.....	25	
All other sizes 1¢ per ounce.		

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44-11287; Filed, July 28, 1944; 4:32 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on July 25, 1944.

REGION I

Boston Order 6-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Massachusetts, filed 3:44 p. m.

Connecticut Order 2-F, Amendment 18, covering fresh fruits and vegetables in Connecticut, filed 10:11 a. m.

REGION II

District of Columbia Order 1-F, adjusting fresh fruit and vegetable prices in District of Columbia Area, filed 10:29 a. m.

Newark Order 4-F, Amendment 10, covering fresh fruit and vegetable prices in Newark District, filed 10:13 a. m.

New York Order 1-F, Amendment 17, covering fresh fruits and vegetables in five boroughs of city of New York, filed 3:42 p. m.

New York Order 3-F, Amendment 4, covering fresh fruits and vegetables in Cities of Beacon, Middletown, Newburgh, Poughkeepsie and Goshen Village, filed 3:43 p. m.

New York Order 4-F, Amendment 4, covering fresh fruits and vegetables in certain areas in New York, filed 3:43 p. m.

Syracuse Order 1-F, Amendment 15, covering fresh fruits and vegetables in Syracuse, N. Y., filed 10:12 a. m.

Syracuse Order 2-F, covering fresh fruits and vegetables in Syracuse and certain surrounding areas, filed 10:12 a. m.

REGION III

Detroit Order 1-W, Amendment 2, covering certain food items in certain counties in Michigan, filed 10:05 a. m.

Detroit Order 11, Amendment 5, covering certain food items in designated counties in Michigan, filed 10:05 a. m.

Cleveland Order F-1 (Rev.), Amendment 1, covering fresh fruits and vegetables in certain counties in Ohio, filed 10:20 a. m.

Cleveland Rev. Order F-3, Amendment 1, covering fresh fruits and vegetables in certain counties in Ohio, filed 10:20 a. m.

Cleveland Rev. Order F-4, Amendment 1, covering fresh fruits and vegetables in certain counties in Ohio, filed 10:16 a. m.

Cleveland Rev. Order G-5, Amendment 1, covering fresh fruits and vegetables in certain counties in Cleveland District, filed 10:16 a. m.

Cincinnati Order 3-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Ohio, filed 10:21 a. m.

Columbus Order 3-F, Amendment 32, covering fresh fruits and vegetables in Columbus and Franklin Co., Ohio, filed 10:08 a. m.

Indianapolis Order 4-F, Amendment 22, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe, filed 3:40 p. m.

Indianapolis Order 5-F, Amendment 22, covering fresh fruits and vegetables in Wayne, Delaware and Allen, filed 3:40 p. m.

Indianapolis Order 6-F, Amendment 22, covering fresh fruits and vegetables in St. Joseph Co., filed 3:39 p. m.

Indianapolis Order 7-F, Amendment 9, covering fresh fruits and vegetables in Vanderburgh Co., filed 3:39 p. m.

Indianapolis Order 8-F, Amendment 22, covering fresh fruits and vegetables in certain designated areas, filed 3:38 p. m.

Indianapolis Order 9-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Indiana and Ohio, filed 3:38 p. m.

Indianapolis Order 10-F, Amendment 22, covering fresh fruits and vegetables in certain counties, filed 3:37 p. m.

Indianapolis Order 11-F, Amendment 22, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 3:37 p. m.

Indianapolis Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 3:36 p. m.

Louisville Order 1-F, Amendment 3, covering fresh fruits and vegetables in Jefferson Co., Ky., and Clark and Floyd Counties, Ind., filed 3:51 p. m.

Louisville Order 2-F, Amendment 3, covering fresh fruits and vegetables in McCracken Co., Ky., filed 3:51 p. m.

Louisville Order 3-F, Amendment 3, covering fresh fruits and vegetables in Daviess and Henderson Counties, Ky., filed 3:50 p. m.

Lexington Order 1-F, Amendment 39, covering fresh fruits and vegetables in Fayette Co., Ky., filed 10:15 a. m.

Lexington Order 2-F, Amendment 33, covering fresh fruits and vegetables in Campbell and Kenton Counties, Ky., filed 10:14 a. m.

Lexington Order 3-F, Amendment 30, covering fresh fruits and vegetables in Boyd Co., Ky., filed 10:13 a. m.

REGIONS IV AND V

Atlanta Order 1-F, Amendment 18, covering fresh fruits and vegetables in Bibb Co., Ga., filed 1:52 p. m.

Atlanta Order 4-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Atlanta District, filed 10:07 a. m.

Atlanta Order 5-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Ga. and Ala., filed 1:25 p. m.

Atlanta Order 6-F, Amendment 10, covering fresh fruits and vegetables in the Metropolitan Atlanta-Decatur Trade Area, filed 1:26 p. m.

Atlanta Order 13, Amendment 3, covering fresh dry food items and related items in North Georgia District Area and Phenix City, Ala., filed 10:07 a. m.

Jacksonville Order 6-F, Amendment 12, covering fresh fruits and vegetables in Jacksonville, Fla., filed 10:21 a. m.

Jacksonville Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain cities and towns in Florida, filed 10:08 a. m.

Memphis Order 4-F, Amendment 43, covering fresh fruits and vegetables in Memphis and Shelby Co., filed 10:24 a. m.

Savannah Order 1-F, Amendment 45, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:24 a. m.

Savannah Order 2-F, Amendment 48, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:25 a. m.

Savannah Order 3-F, Amendment 38, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:25 a. m.

Savannah Order 4-F, Amendment 37, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:26 a. m.

Savannah Order 5-F, Amendment 18, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:26 a. m.

Raleigh Order 2-W, covering dry groceries in certain areas in North Carolina, filed 10:00 a. m.

Fort Worth Order 1-F, Amendment 27, covering fresh fruits and vegetables in Wayne Co., filed 12:03 p. m.

Fort Worth Order 2-F, Amendment 27, covering fresh fruits and vegetables in Greene Co., filed 1:15 p. m.

Fort Worth Order 3-F, Amendment 27, covering fresh fruits and vegetables in Taylor Co., filed 1:21 p. m.

Fort Worth Order 4-F, Amendment 27, covering fresh fruits and vegetables in McLennan Co., filed 1:22 p. m.

Fort Worth Order 5-F, Amendment 27, covering fresh fruits and vegetables in Wichita Co., filed 1:22 p. m.

Fort Worth Order 13, Amendment 1, covering community food prices in named areas in Texas, filed 1:24 p. m.

Fort Worth Order 14, Amendment 1, covering community food prices in named areas in Texas, filed 1:24 p. m.

Kansas City Order 2-F, Amendment 15, covering fresh fruit and vegetables in certain areas in Kansas City District Area, filed 10:33 a. m.

Wichita Order 4-F, Amendment 6, covering fresh fruit and vegetables in certain areas in Kansas, filed 10:09 a. m.

Wichita Order G-24, Amendment 3, covering dry groceries and perishables in certain areas in Kansas, filed 10:10 a. m.

Wichita Order G-20, Amendment 2, covering dry groceries and perishables in certain areas in Kansas, filed 10:10 a. m.

REGION VI

Quad-Cities Order 32, Amendment 1, covering community food prices in Scott, Iowa and Rock Island, Ill., filed 1:43 p. m.

Quad-Cities Order 33, Amendment 1, covering community food prices in certain counties in Iowa, filed 1:43 p. m.

Quad-Cities Order 35, Amendment 1, covering community food prices in certain counties in Illinois, filed 1:42 p. m.

Quad-Cities Order 37, Amendment 1, covering community food prices in certain areas in Ill. and Iowa, filed 1:26 p. m.

Milwaukee Order 2-F, Amendment 24, covering fresh fruit and vegetables in Dane County, Ill., filed 3:53 p. m.

Milwaukee Order 3-F, Amendment 24, covering fresh fruits and vegetables in Milwaukee Co. and Racine and Kenosha, filed 3:52 p. m.

Sioux Falls Order 1-F, Revised, covering fresh fruits and vegetables in Sioux Falls District, filed 10:28 a. m.

REGION VII

Wyoming Order 1-B, covering retail food prices in State of Wyoming, filed 3:34 p. m.

Wyoming Order 4-W, Amendment 1, covering wholesale community food prices in the Laramie Area, filed 10:30 a. m.

Wyoming Order 6-W, Amendment 2, covering dry groceries in the Sheridan Area, filed 10:20 a. m.

Wyoming Order 1-F, Amendment 7, covering fresh fruits and vegetables in the Choyenne Area, filed 10:31 a. m.

Wyoming Order 2-F, Amendment 5, covering fresh fruits and vegetables in the Laramie Area, filed 10:30 a. m.

Wyoming Order 3-F, Amendment 4, covering fresh fruits and vegetables in the Casper Area, filed 10:30 a. m.

Wyoming Order 4-F, Amendment 4, covering fresh fruits and vegetables in the Sheridan Area, filed 10:31 a. m.

Wyoming Order 5-F, Amendment 3, covering fresh fruits and vegetables in the Rock Springs Area, filed 10:31 a. m.

REGION VIII

Nevada Order 5-F, covering fresh fruits and vegetables in certain areas in Nevada, filed 10:31 a. m.

Phoenix Order 8, Amendment 5, covering community food prices in the "Phoenix-South Central Area", filed 1:45 p. m.

Phoenix Order 2-W, Amendment 2, covering dry groceries in the "Coconino-Yavapai Area", filed 1:45 p. m.

Phoenix Order 7-W, covering dry groceries in the "Tucson Area", filed 1:47 p. m.

Phoenix Order 8-W, covering dry groceries in the "Gila Valley Area", filed 1:48 p. m.

Phoenix Adopting Order 3, Amendment 2, covering community food prices in the "Coconino-Yavapai Area", filed 1:48 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-11337; Filed, July 20, 1944; 11:40 a. m.]

[Utah Order 1 Under 2d Rev. Restaurant MPR 7-1, Amtd. 1]

MALT BEVERAGES IN UTAH DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Utah District Office of Region VII by General Order No. 50, Region VII Revised Delegation Order No. 15 and section 20 of 2nd Revised Restaurant MPR 7-1; *It is hereby ordered:*

1. Section 2 (a) of Order No. 1 under 2d Revised Restaurant MPR 7-1 heretofore issued by the Utah District Office is amended to read as follows:

(a) *Bottled malt beverages.*

Brand	Maximum prices per bottle		
	12-ounce	32-ounce	64-ounce
	Cents	Cents	Cents
Acme Beer.....	17	37	65
Becker Beer.....	17	37	65
Coors Beer.....	17	37	65
Fisher Beer.....	17	37	65
Rainier Beer.....	17	37	65
Tivoli Beer.....	17	37	65
Uinta Club Beer.....	17	37	65
Walters Beer.....	17	37	65
Blatz Beer.....	22	43	65
Budweiser Beer.....	22	43	65
Millers High Life Beer.....	22	43	65
Pabst Blue Ribbon Beer.....	22	43	65
Schlitz Beer.....	22	43	65

2. Section 2 (b) of Special Order No. 1 is amended to read as follows:

(b) *Malt beverages on draft.*

Brand	Size serving	Price
	Ounce	Cents
Michelob Beer	8	11
All other brands	10	11

Other quantities of any or all brands of draft beer may be sold by any seller subject to this order provided such seller serves no less than one fluid ounce of beer for each one and one-tenth cents.

3. Section 2 (f) is hereby deleted.

4. Section 2 (g) is redesignated section 2 (f).

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

H. GRANT IVINS,
District Director.

[F. R. Doc. 44-11292; Filed, July 28, 1944;
4:33 p. m.]

[Atlanta Order G-1 Under Gen. Order 50]
MALT AND CEREAL BEVERAGES IN ATLANTA,
Ga., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, it is hereby ordered:

SECTION 1. Purpose of order. It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. Geographical applicability. The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Georgia: Baldwin, Banks, Barrow, Bartow, Bibb, Bleckley, Butts, Carroll, Catoosa, Chattahoochee, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Crawford, Crisp, Dade, Dawson, De Kalb, Dodge, Dooley, Douglas, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Hancock, Haralson, Harris, Hart, Heard, Henry, Houston, Jackson, Jasper, Johnson, Jones, Lamar, Laurens, Lee, Lincoln, Lumpkin, Macon, Madison, Marion, Meriwether, Monroe, Morgan, Murray, Muscogee, Newton,

Oconee, Oglethorpe, Paulding, Peach, Pickens, Pike, Polk, Pulaski, Putnam, Quitman, Rabun, Randolph, Rockdale, Schley, Spalding, Stephens, Stewart, Sumter, Talbot, Tallahassee, Taylor, Terrell, Towns, Troup, Twiggs, Union, Upson, Walker, Walton, Washington, Webster, White, Whitfield, Wilcox, Wilkes, and Wilkinson.

Sec. 3. Ceiling prices. (a) On and after July 25, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above and beer or ale not bearing a brand label at time of sale" is not appropriate to such beverage, you may make application to the Atlanta District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Atlanta District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. How to figure your ceiling prices. (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) **Group 1B.** Your establishment belongs to Group 1B if during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) **Group 2B.** Your establishment belongs to Group 2B if during the base

period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) **Group 3B.** Your establishment belongs to Group 3B if during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4-10, 1943, also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the Atlanta District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3B seller and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information.

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

Sec. 5. Filing with War Price and Rationing Board. When you have figured your proper group under section 4 above, you must, on or before August 10, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

Sec. 6. Modification of prices. After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

Sec. 7. Exempt sales. The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation No. 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4-1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

Sec. 8. Evasion. If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any

type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking, or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943, to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking, or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

Sec. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order No. 50, as well as Restaurant Maximum Price Regulation No. 4-1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

Sec. 10. Posting of prices. If you are an operator of an eating and drinking establishment you must post, and keep posted, the ceiling prices of the beverage subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

Sec. 11. Posting of group number. If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B," "OPA 2 B," or "OPA 3 B," whichever is applicable. You may

use the card furnished you for this purpose by the War Price and Rationing Board.

Sec. 12. Receipts and sales slips. Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

Sec. 13. Operation of several places. If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

Sec. 14. Enforcement. If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 15. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

Sec. 16. Relation to other maximum price regulations. This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4-1.

Sec. 17. Definitions. (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of $\frac{1}{2}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment, or location, whether temporary or permanent, in which any prepared food item or meal or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Rice Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance to the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Atlanta District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 25, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Atlanta, Georgia, this July 14, 1944. —

E. A. THORNWELL,
District Director.

APPENDIX A

PART I

GROUP 1B

Brand or trade name of beer:	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Ambassador.....	25	60
Ballantine-Brucks.....	25	60
Barbarossa-Breilots.....	25	60
Blatz Pilsner.....	25	60
Budweiser.....	25	60
Burger Brau.....	25	60
Canadian Ace.....	25	60
Champ.....	25	60
Kreuger Cream.....	25	60
Malz Brau.....	25	60
Red Top.....	25	60
Tru Blu.....	25	60
Van Merritt.....	25	60
Imported beer:		
Carta Blanca.....	40	-----
All other brands not listed above and beer or ale not bearing a brand label at time of sale.....	20	50

APPENDIX A—Continued

PART I—continued

GROUP 1B—continued

Brand or trade name of ale:	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Ballantine.....	25	60
Ballantine Pale Dry Indian.....	25	60
Ballantine Porter.....	25	60
Carling's Red Cap.....	25	60
Canadian Ace.....	25	60
Champ.....	25	60
Kreuger Cream.....	25	60
Malz Brau.....	25	60
Red Top.....	25	60
Tru Blu.....	25	60
Imported beer:		
Carta Blanca.....	40	-----
All other brands not listed above and beer or ale not bearing a brand label at time of sale.....	20	50

Sellers may add to the above prices for 32 ounce bottles 1¢ per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2B

Brand or trade name of beer:	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Ambassador.....	20	50
Ballantine-Brucks.....	20	50
Barbarossa-Breilots.....	20	50
Blatz Pilsner.....	20	50
Budweiser.....	20	50
Burger Brau.....	20	50
Canadian Ace.....	20	50
Downs Art & Art.....	20	50
Embassy Club.....	20	50
Gold Coast.....	20	50
Kingsbury Pale.....	20	50
Miller's High Life.....	20	50
National Premium.....	20	50
Old Fashioned.....	20	50
Pabst Blue Ribbon.....	20	50
Piels.....	20	50
Schlitz.....	20	50
Trommer's White Label.....	20	50
Tru Blu.....	20	50
Tru Blu Old Fashioned.....	20	50
Van Merritt.....	20	50
Brand or trade name of ale:		
Ballantine.....	20	50
Ballantine Pale Dry Indian.....	20	50
Ballantine Porter.....	20	50
Carling's Red Cap.....	20	50
Canadian Ace.....	20	50
Champ.....	20	50
Kreuger Cream.....	20	50
Malz Brau.....	20	50
Red Top.....	20	50
Tru Blu.....	20	50
Imported beer:		
Carta Blanca.....	35	-----
All other brands not listed above and beer or ale not bearing a brand label at time of sale.....	15	40

Sellers may add to the above prices for 32 ounce bottles 1¢ per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

APPENDIX A—Continued

PART I—continued

GROUP 3B

Brand or trade name of beer:	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Ambassador.....	18	45
Ballantine-Brucks.....	18	45
Barbarossa-Breilots.....	18	45
Blatz Pilsner.....	18	45
Budweiser.....	18	45
Burger Brau.....	18	45
Canadian Ace.....	18	45
Downs Art & Art.....	18	45
Embassy Club.....	18	45
Gold Coast.....	18	45
Kingsbury Pale.....	18	45
Miller's High Life.....	18	45
National Premium.....	18	45
Old Fashioned.....	18	45
Pabst Blue Ribbon.....	18	45
Piels.....	18	45
Schlitz.....	18	45
Trommer's White Label.....	18	45
Tru Blu.....	18	45
Tru Blu Old Fashioned.....	18	45
Van Merritt.....	18	45
Brand or trade name of ale:		
Ballantine.....	18	45
Ballantine Pale Dry Indian.....	18	45
Ballantine Porter.....	18	45
Carling's Red Cap.....	18	45
Canadian Ace.....	18	45
Champ.....	18	45
Kreuger Cream.....	18	45
Malz Brau.....	18	45
Red Top.....	18	45
Tru Blu.....	18	45
Imported beer:		
Carta Blanca.....	32	-----
All other brands not listed above and beer or ale not bearing a brand label at time of sale.....	14	35

Sellers may add to the above prices for 32 ounce bottles 1¢ per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

PART II—DRAUGHT BEERS AND ALES

Brand or trade name	Size of container	Maximum prices for groups—		
		1B	2B	3B
		Cents	Cents	Cents
All brands.....	6 ounce.....	7	6	6
	8 ounce.....	9	8	8
	10 ounce.....	11	10	10
	12 ounce.....	13	12	12
	All other size containers.....	11	11	11

¹ Per ounce.

Sellers may add to the above prices for containers of 8 ounces or more 1¢ per container to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44-11355; Filed, July 29, 1944; 11:46 a. m.]

[Raleigh Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and

under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. Purpose of order. It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

Sec. 2. Geographical applicability. The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of North Carolina: Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Sampson, Scotland, Tyrrell, Robeson, Vance, Wake, Warren, Washington, Wayne and Wilson.

Sec. 3. Ceiling prices. (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "all other brands" is not appropriate to such beverage you may make application to the Raleigh, North Carolina District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Raleigh, North Carolina District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

Sec. 4. How to figure your ceiling prices. (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must

figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this Order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) **Group 1B.** Your establishment belongs to Group 1B, if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) **Group 2B.** Your establishment belongs to Group 2B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) **Group 3B.** Your establishment belongs to Group 3B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4-10, 1943 also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the Raleigh, North Carolina District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of

the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

Sec. 5. Filing with War Price and Rationing Board. When you have figured your proper group under section 4 above, you must, on or before July 5, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

Sec. 6. Modification of prices. After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

Sec. 7. Exempt sales. The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a nonprofit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4-1).

(e) Sales by the War Department or the Department of Navy of the United States through such Department's sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

Sec. 8. Evasion. If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

Sec. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4-1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

Sec. 10. Posting of prices. If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

Sec. 11. Posting of group number. If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

Sec. 12. Receipts and sales slips. Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

Sec. 13. Operation of several places. If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

Sec. 14. Enforcement. If you violate any provisions of this regulation you are subject to the criminal penalties, civil enforcement action, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 15. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

Sec. 16. Relation to other maximum price regulations. This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establish-

ments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4-1.

Sec. 17. Definitions. (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of $\frac{1}{2}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof, or any other Government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

Sec. 18. Petitions for amendment. Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for Amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Raleigh, North Carolina District Office.

Sec. 19. Revocation and amendment. This order may be revoked, amended, or corrected at any time.

Sec. 20. Effective date. This order shall become effective July 1, 1944.

NOTE: The reporting and record keeping requirements of this Order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7371,

E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Raleigh, North Carolina, this 27th day of June 1944.

THEODORE S. JOHNSON,
District Director.

APPENDIX A

PART I—BOTTLED BEERS AND ALES

GROUP 1B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Ballantine-Brucks.....	\$0.25	\$0.50
Barbarossa-Breidts.....	.25	.50
Blatz Pilsner.....	.25	.50
Budweiser.....	.25	.50
Canadian Ace.....	.25	.50
Miller's High Life.....	.25	.50
National Premium.....	.25	.50
Pabst Blue Ribbon.....	.25	.50
Schlitz.....	.25	.50
Tru-Blu.....	.25	.50
Ale:		
Ballantine.....	.25	.50
Canadian Ace.....	.25	.50
Carling's Red Cap.....	.25	.50
Kreuger Cream.....	.25	.50
Red Top.....	.25	.50
Imported Beer:		
Carta Blanca.....	.35	-----
All other brands of domestic or imported beer and ale not listed above including unlabeled beer and ale.....	.20	.45

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this appendix for draft beer and ale.)

GROUP 2B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Ballantine-Brucks.....	\$0.20	\$0.45
Barbarossa-Breidts.....	.20	.45
Blatz Pilsner.....	.20	.45
Budweiser.....	.20	.45
Canadian Ace.....	.20	.45
Miller's High Life.....	.20	.45
National Premium.....	.20	.45
Pabst Blue Ribbon.....	.20	.45
Schlitz.....	.20	.45
Tru-Blu.....	.20	.45
Ale:		
Ballantine.....	.20	.45
Canadian Ace.....	.20	.45
Carling's Red Cap.....	.20	.45
Kreuger Cream.....	.20	.45
Red Top.....	.20	.45
Imported beer:		
Carta Blanca.....	.20	-----
All other brands of domestic or imported beer and ale not listed above including unlabeled beer and ale.....	.15	.40

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this Appendix for draft beer and ale.)

APPENDIX A—Continued
PART I—BOTTLED BEERS AND ALES—continued
GROUP 2B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Ballantine-Brucks.....	\$0.17	\$0.40
Barbarossa-Breidts.....	.17	.40
Blatz Pilsner.....	.17	.40
Budweiser.....	.17	.40
Canadian Ace.....	.17	.40
Miller's High Life.....	.17	.40
National Premium.....	.17	.40
Pabst Blue Ribbon.....	.17	.40
Schlitz.....	.17	.40
Tru-Blu.....	.17	.40
Ale:		
Ballantine.....	.17	.40
Canadian Ace.....	.17	.40
Carling's Red Cap.....	.17	.40
Kreuger Cream.....	.17	.40
Red Top.....	.17	.40
Imported beer:		
Carta Blanca.....	.27	-----
All other brands of domestic or imported beer and ale not listed above including unlabeled beer and ale.....	.12	.35

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this Appendix for draft beer and ale.)

PART II—DRAFT BEERS AND ALES

Commodity and brand or trade name	Size of container	Maximum prices for groups		
		1B	2B	3B
Draft beer and ale—all brands.	Ounce 6	\$0.07	\$0.06	\$0.06
	8	.10	.09	.09
	10	.12	.11	.11
	12	.14	.13	.13
	14	.16	.15	.15
	16	.18	.17	.17
	20	.22	.21	.21
	24	.26	.25	.25

NOTE: For any size of container other than those set forth above the maximum price for sellers of all groups shall be 1¢ per ounce.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

[F. R. Doc. 44-11357; Filed, July 29, 1944; 11:45 a. m.]

[South Carolina Order 1B Under General Order 50]

MALT AND CEREAL BEVERAGES IN SOUTH CAROLINA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the South Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV

Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of all counties of the State of South Carolina.

SEC. 3. *Ceiling prices.* (a) On and after July 5, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this Order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage you may make application to the South Carolina District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the South Carolina District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular

group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B, if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this Order were the same as, or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this Order were the same as, or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this Order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4-10, 1943 also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the South Carolina District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. Filing with War Price and Rationing Board. When you have figured your proper group under section 4 above, you must, on or before July 5, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it

belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. Modification of prices. After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. Exempt sales. The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation)

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4-1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or

other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. Evasion. If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4-1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. Posting of prices. If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills

of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. Posting of group number. If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. Receipts and sales slips. Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. Operation of several places. If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. Enforcement. If you violate any provisions of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. Relation to other maximum price regulations. This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4-1.

SEC. 17. Definitions. (a) "Malt Beverage" is any malt beverage produced either within or without the Continental United States, and includes those com-

monly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal Beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On Draught" means dispensed by a seller at retail from any container of $\frac{1}{2}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form of substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. Petitions for amendment. Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the South Carolina District Office.

SEC. 19. Revocation and amendment. This order may be revoked, amended, or corrected at any time.

SEC. 20. Effective date. This order shall become effective July 5, 1944.

NOTE: The reporting and record keeping requirements of this Order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(Public Laws 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Columbia, South Carolina this 20th day of June 1944.

E. H. TALBERT,
District Director.

APPENDIX A

GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Ballantine Ale.....	25	60
Blatz Pilsner.....	25	60
Budweiser.....	25	60
Burger Brau.....	25	60
Canadian Ace.....	25	60
Champ Ale.....	25	60
Genesee.....	25	60
Krueger.....	25	60
Miller's High Life.....	25	60
National Premium.....	25	60
Old Fashioned.....	25	60
Pabst Blue Ribbon.....	25	60
Red Top Ale.....	25	60
Schlitz.....	25	60
Van Merritt.....	25	60
Van Wyck.....	25	60
All Other Brands.....	20	60
On draught:	Cents	
6 ounces.....	13	
8 ounces.....	15	
10 ounces.....	17	
In other quantities 8¢ for 1st ounce plus 1¢ for each additional ounce.		

A maximum deposit charge of \$0.05 may be charged for any size bottle, but the deposit charged must be returned when the bottle is returned.

Sellers who are required to pay a Federal Excise Tax on cabrets may add same to above prices if such tax is separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Ballantine Ale.....	20	50
Blatz Pilsner.....	20	50
Budweiser.....	20	50
Burger Brau.....	20	50
Canadian Ace.....	20	50
Champ Ale.....	20	50
Genesee.....	20	50
Krueger.....	20	50
Miller's High Life.....	20	50
National Premium.....	20	50
Old Fashioned.....	20	50
Pabst Blue Ribbon.....	20	50
Red Top Ale.....	20	50
Schlitz.....	20	50
Van Merritt.....	20	50
Van Wyck.....	20	50
All other brands.....	16	40
On draught:	Cents	
6 ounces.....	8	
8 ounces.....	10	
10 ounces.....	12	
In other quantities 3 cents for 1st ounce plus 1 cent for each additional ounce.		

A maximum deposit charge of \$0.05 may be charged for any size bottle, but the deposit charged must be returned when the bottle is returned.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3 B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Ballantine Ale.....	17	41
Blatz Pilsener.....	17	41
Budweiser.....	17	41
Burger Brau.....	17	41
Canadian Ace.....	17	41
Champ Ale.....	17	41
Genesee.....	17	41
Krueger.....	17	41
Miller's High Life.....	17	41
National Premium.....	17	41
Old Fashioned.....	17	41
Pabst Blue Ribbon.....	17	41
Red Top Ale.....	17	41
Schlitz.....	17	41
Van Merritt.....	17	41
Van Wyck.....	17	41
All other brands.....	12	27
On draught:	Cents	
6 ounces.....	8	
8 ounces.....	10	
10 ounces.....	12	
In other quantities $\frac{3}{4}$ for 1st ounce plus $\frac{1}{8}$ for each additional ounce.		

A maximum deposit charge of \$0.05 may be charged for any size bottle, but the deposit charged must be returned when the bottle is returned.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44-11356; Filed, July 29, 1944; 11:47 a. m.]

[Roanoke Order G-1 Under Gen. Order 50]
MALT AND CEREAL BEVERAGES IN ROANOKE,
VA., DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, General Order No. 50, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and for the reasons set forth in the accompanying opinion, this order is issued:

SECTION 1. Purpose of order. It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer, and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. Geographical applicability. The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Virginia:

Alleghany, Amherst, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Clarke, Craig, Dickenson, Fairfax, Fauquier, Floyd, Franklin, Frederick, Giles, Grayson, Halifax, Henry, Highland, Lee, Loudoun, Montgomery, Nelson, Pittsylvania, Page, Patrick, Prince William, Pulaski, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise, and Wythe,

together with all municipalities and towns located therein with the exception of the City of Bristol, Virginia.

Sec. 3. Ceiling prices. (a) On and after July 31, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage you may make application to the Roanoke (Virginia) District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Roanoke (Virginia) District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types, or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

Sec. 4. How to figure your ceiling prices.

(a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) **Group 1B.** Your establishment belongs to Group 1B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) **Group 2B.** Your establishment belongs to Group 2B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided

in Appendix A for Group 1B establishments.

(3) **Group 3B.** Your establishment belongs to Group 3B if during the base period of April 4-10, 1943 your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4-10, 1943 also belongs to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the Roanoke (Virginia) District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

Sec. 5. Filing with War Price and Rationing Board. When you have figured your proper group under section 4 above, you must on or before Aug. 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

Sec. 6. Modification of prices. After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943, were

excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. Exempt sales. The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4-1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. Evasion. If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device: among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in

effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4-1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. Posting of prices. If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer, you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. Posting of group number. If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. Receipts and sales slips. Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipt must show

the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. Operation of several places. If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. Enforcement. If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. Relation to other maximum price regulations. This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4-1.

SEC. 17. Definitions. (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of $\frac{1}{2}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political sub-divisions or any agency of any of the foregoing.

(e) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Roanoke (Virginia) District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 31, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7371, E.O. 9328, 8 F.R. 4631, General Order 50, 8 F.R. 4808)

Issued at Roanoke, Virginia, this 12th day of July 1944.

BERNARD C. GOODWIN,
District Director.

APPENDIX A

GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	<i>Cents</i>	<i>Cents</i>
Ambassador.....	25	50
Ballantine-Brucks.....	25	50
Barbarossa-Breidts.....	25	50
Blatz Pilsner.....	25	50
Budweiser.....	25	50
Canadian Ace.....	25	50
Downs Art & Art.....	25	50
Embassy Club.....	25	50
Gold Coast.....	25	50
Kingsbury Pale.....	25	50
Miller's High Life.....	25	50
National Premium.....	25	50
Pabst Blue Ribbon.....	25	50
Pils.....	25	50
Schlitz.....	25	50
Trommer's White Label.....	25	50
Tru Blu.....	25	50
Tru Blu Old Fashioned.....	25	50
Silver Fox Deluxe.....	25	50
All other brands of domestic or imported beer not listed above including unlabeled beer.....	20	40
Ale:		
Ballantine.....	25	50
Carling's Red Cap.....	25	50
Canadian Ace.....	25	50
Champ.....	25	50
Kreuger Cream.....	25	50
Red Top.....	25	50
Tru Blu.....	25	50
All other brands of domestic or imported ale not listed above including unlabeled ale.....	20	40
Draught beer:	<i>Cents</i>	
6-oz. glass.....	7	
8-oz. glass.....	10	
10-oz. glass.....	12	
12-oz. glass.....	14	
14-oz. glass.....	16	
16-oz. glass.....	18	
20-oz. glass.....	22	
24-oz. glass.....	25	
All other size containers per ounce.....	11	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	<i>Cents</i>	<i>Cents</i>
Ambassador.....	25	42
Ballantine-Brucks.....	25	42
Barbarossa-Breidts.....	25	42
Blatz Pilsner.....	25	42
Budweiser.....	25	42
Canadian Ace.....	25	42
Downs Art & Art.....	25	42
Embassy Club.....	25	42
Gold Coast.....	25	42
Kingsbury Pale.....	25	42
Miller's High Life.....	25	42
National Premium.....	25	42
Pabst Blue Ribbon.....	25	42
Pils.....	25	42
Schlitz.....	25	42
Trommer's White Label.....	25	42
Tru Blu.....	25	42
Tru Blu Old Fashioned.....	25	42
Silver Fox Deluxe.....	25	42
All other brands of domestic or imported beer not listed above including unlabeled beer.....	15	37
Ale:		
Ballantine.....	25	42
Carling's Red Cap.....	25	42
Canadian Ace.....	25	42
Champ.....	25	42
Kreuger Cream.....	25	42
Red Top.....	25	42
Tru Blu.....	25	42
All other brands of domestic or imported ale not listed above including unlabeled ale.....	15	37
Draught Beer:	<i>Cents</i>	
6-oz. glass.....	9	
8-oz. glass.....	11	
10-oz. glass.....	13	
12-oz. glass.....	15	
14-oz. glass.....	17	
16-oz. glass.....	19	
20-oz. glass.....	21	
24-oz. glass.....	25	
All other size containers, per ounce.....	1	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	<i>Cents</i>	<i>Cents</i>
Ambassador.....	16	37
Ballantine-Brucks.....	16	37
Barbarossa-Breidts.....	16	37
Blatz Pilsner.....	16	37
Budweiser.....	16	37
Canadian Ace.....	16	37
Downs Art & Art.....	16	37
Embassy Club.....	16	37
Gold Coast.....	16	37
Kingsbury Pale.....	16	37
Miller's High Life.....	16	37
National Premium.....	16	37
Pabst Blue Ribbon.....	16	37
Pils.....	16	37
Schlitz.....	16	37
Trommer's White Label.....	16	37
Tru Blu.....	16	37
Tru Blu Old Fashioned.....	16	37
Silver Fox Deluxe.....	16	37
All other brands of domestic or imported beer not listed above including unlabeled beer.....	11	32
Ale:		
Ballantine.....	16	37
Carling's Red Cap.....	16	37
Canadian Ace.....	16	37
Champ.....	16	37
Kreuger Cream.....	16	37
Red Top.....	16	37
Tru Blu.....	16	37
All other brands of domestic or imported ale not listed above including unlabeled ale.....	11	32
Draught beer:	<i>Cents</i>	
6-oz. glass.....	9	
8-oz. glass.....	11	
10-oz. glass.....	13	
12-oz. glass.....	15	
14-oz. glass.....	17	
16-oz. glass.....	19	
20-oz. glass.....	21	
24-oz. glass.....	25	
All other size containers (per oz.).....	01	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44-11354; Filed, July 29, 1944; 11:45 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on July 26, 1944.

REGION I

Augusta Order 1-F, Amendment 4, covering fresh fruits and vegetables in Portland, S. Portland and Westbrook, Maine, filed 2:31 p. m.

REGION II

Buffalo Order 2-F, Amendment 14, covering fresh fruits and vegetables in Rochester, E. Rochester, Fairport and Pittsford, filed 2:32 p. m.

Camden Order 1-F, Amendment 16, covering fresh fruits and vegetables in Camden, Burlington, Gloucester, Salem, and Cumberland Counties, filed 2:47 p. m.

Camden Order 2-F, Amendment 13, covering fresh fruits and vegetables in Atlantic & Cape May Counties, N. J., filed 2:47 p. m.

Harrisburg Order 1-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 2:17 p. m.

Philadelphia Order 1-F, Amendment 15, covering fresh fruits and vegetables in City and County of Philadelphia, filed 2:17 p. m.

New York Order 1-F, Amendment 16, covering fresh fruits and vegetables in five boroughs of City of New York, filed 12:05 p. m.

New York Order 3-F, Amendment 3, covering fresh fruits and vegetables in designated areas in New York, filed 2:50 p. m.

New York Order 4-F, Amendment 3, covering fresh fruits and vegetables in designated areas in New York, filed 2:51 p. m.

New York Order 5-F, Amendment 1, covering fresh fruits and vegetables in Suffolk Co., N. Y., filed 2:52 p. m.

REGION III

Cincinnati Order 1-F, Amendment 40, covering fresh fruits and vegetables in Hamilton Co., Ohio, filed 4:24 p. m.

Cincinnati Order 2-F, Amendment 33, covering fresh fruits and vegetables in Butler, Clark, Montgomery and Scioto Counties in Ohio, filed 4:25 p. m.

Grand Rapids Order F-14-A, Amendment 27, covering fresh fruits and vegetables in Urban Area A, filed 2:56 p. m.

Grand Rapids Order F-14-B, Amendment 27, covering fresh fruits and vegetables in Urban Area B, filed 2:56 p. m.

Grand Rapids Order 4-W, covering dry groceries in certain counties in Michigan, filed 2:54 p. m.

Grand Rapids Order 5-W, covering dry groceries in certain counties in Michigan, filed 2:54 p. m.

Grand Rapids Order 6-W, covering dry food items in certain counties in Michigan, filed 2:55 p. m.

Indianapolis Order 9-W, covering dry groceries in Central Indiana, filed 2:18 p. m.

Indianapolis Order 10-W, community wholesale food prices in Southwestern Indiana, filed 2:19 p. m.

Indianapolis Order 11-W, community wholesale food prices in Northwestern Indiana, filed 2:20 p. m.

Indianapolis Order 12-W, Adjusts community wholesale prices for certain food items in Northeastern Indiana, filed 2:20 p. m.

Indianapolis Order 13-W, community food prices at wholesale in Southeastern Indiana, filed 2:21 p. m.

Lexington Order 12, Amendment 12, covering community food prices in designated counties of Kentucky, filed 2:45 p. m.

Escanaba Order 10-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:23 p. m.

Escanaba Order 11-F, Amendment 21, covering fresh fruits and vegetables in Escanaba, Gladstone and Delta, Michigan, filed 4:23 p. m.

Escanaba Order 12-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:23 p. m.

Escanaba Order 13-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:23 p. m.

Escanaba Order 14-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Wisconsin and Michigan, filed 4:23 p. m.

Escanaba Order 15-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 4:23 p. m.

Escanaba Order 16-F, Amendment 20, covering fresh fruits and vegetables in Saulte Ste. Marie, Michigan, Chippewa Co., filed 4:24 p. m.

Escanaba Order 17-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:24 p. m.

REGION IV

Jacksonville Order 7-F, Amendment 12, covering fresh fruits and vegetables in certain cities in Florida, filed 2:21 p. m.

Columbia Order 3-F, Amendment 17, covering fresh fruits and vegetables in 5 mile radius of county court houses of Spartanburg and Greenville, S. C., filed 2:16 p. m.

Columbia Order 1-F, (Rev.), Amendment 13, covering fresh fruits and vegetables in 7 miles radius of State House, Columbia, S. C., filed 2:17 p. m.

Columbia Rev. Order 2-F, Amendment 13, covering fresh fruits and vegetables in certain area in South Carolina, filed 2:16 p. m.

REGION V

Dallas Order 1-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Dallas District, filed 2:22 p. m.

Dallas Order 2-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Dallas District, filed 2:23 p. m.

Dallas Order 3-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Dallas District, filed 2:23 p. m.

Shreveport Order 2-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Shreveport District, filed 2:22 p. m.

Shreveport Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Shreveport District, filed 2:22 p. m.

Kansas City Order 2-W, Amendment 1, covering wholesale community food prices in certain areas in Kansas, filed 12:05 p. m.

Kansas City Order G-17, Amendment 2, covering community food prices in the Kansas City District, filed 2:05 p. m.

Kansas City Order G-18, Amendment 2, covering community food prices in the Kansas City District, filed 12:04 p. m.

Houston Order 1-F, Amendment 19, covering community food prices in certain areas in Texas, filed 12:03 p. m.

Houston Order 3-F, Amendment 7, covering community food prices in certain areas in Texas, filed 12:03 p. m.

Oklahoma City Order 3-F, Amendment 23, covering fresh fruits and vegetables in Oklahoma City District, filed 2:25 p. m.

REGION VI

Des Moines Order 1-W, covering community food prices at wholesale in the Des Moines Area, filed 3:03 p. m.

Des Moines Order 2-W, Amendment 1, covering community food prices at wholesale in Cedar Rapids area, filed 3:06 p. m.

Des Moines Order 5-W, covering community wholesale food prices in the Mason City Area, filed 3:05 p. m.

Des Moines Order 6-W, covering community wholesale food prices in Fort Dodge Area, filed 3:05 p. m.

Fargo-Moorhead Order 17 (2nd. Rev.), Amendment 1, covering community food prices in area described therein, filed 3:03 p. m.

Fargo-Moorhead 2d. Rev. Order 18, Amendment 1, covering community food prices in area described therein, filed 3:00 p. m.

Fargo-Moorhead 2d. Rev. Order 21, Amendment 1, covering community food prices in area described therein, filed 3:00 p. m.

Fargo-Moorhead 2d. Rev. Order 22, Amendment 1, covering community food prices in certain areas in Fargo-Moorhead District, filed 2:59 p. m.

La Crosse Order 1-F, Amendment 25, covering fresh fruits and vegetables in La Crosse, Wis. and Winona, Minn., filed 2:29 p. m.

La Crosse Order 3-F, Amendment 21, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wis., filed 2:28 p. m.

La Crosse Order 4-F, Amendment 21, covering fresh fruits and vegetables in Sparta, Wis., filed 2:29 p. m.

La Crosse Order 5-F, Amendment 21, covering fresh fruits and vegetables in Rochester, Minn., filed 2:29 p. m.

Sioux Falls Adopting Order 4, covering retail community food prices in certain areas in South Dakota, Iowa and Minnesota, filed 12:04 p. m.

Sioux Falls Adopting Order 5, covering retail community food prices in certain areas in South Dakota and Minnesota, filed 2:24 p. m.

Sioux City Order 2-F, Amendment 26, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebr., filed 2:24 p. m.

Sioux City Order 3-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Iowa, South Dakota and Nebraska, filed 2:24 p. m.

Sioux City Order 4-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Nebraska, filed 2:25 p. m.

REGION VIII

Los Angeles Order 1-F, Amendment 24, covering fresh fruits and vegetables in the Los Angeles Metropolitan Area, filed 2:15 p. m.

Nevada Order 1-F, Amendment 16, covering fresh fruits and vegetables in the Reno and Sparks Area, filed 2:10 p. m.

Nevada Order 2-F, Amendment 6, covering fresh fruits and vegetables in certain communities in Nevada, filed 2:07 p. m.

Phoenix Order 1-W, Amendment 3, covering dry groceries in the "Phoenix Area", filed 2:13 p. m.

Phoenix Order 5-W, Amendment 1, covering dry groceries in the "Navajo-Apache Area", filed 2:11 p. m.

Phoenix Order 16, Amendment 1, covering community food prices in "Yuma Area", filed 2:13 p. m.

Seattle Order 70, covering community food prices in the Seattle Area, filed 2:02 p. m.

Seattle Order 71, covering community food prices in the Tacoma Area, filed 2:02 p. m.

Seattle Order 72, covering community food prices in the Everett Area, filed 2:04 p. m.

Seattle Order 73, covering community food prices in the Bremerton Area, filed 2:04 p. m.

Seattle Order 74, covering community food prices in the Bellingham Area, filed 2:04 p. m.

Seattle Order 75, covering community food prices in the Olympia Area, filed 2:05 p. m.

Seattle Order 76, covering community food prices in the Aberdeen-Hoquiam Area, filed 2:06 p. m.

Seattle Order 77, covering community food prices in the Centralia-Chehalis Area, filed 2:06 p. m.

Seattle Order 78, covering community food prices in the Wenatchee Area, filed 2:06 p. m.

Seattle Order 79, covering community food prices in the Yakima Area, filed 2:07 p. m.

Spokane Order 1-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Spokane Co., Washington, filed 2:01 p. m.

Spokane Order 2-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Kootenai Co., Idaho, filed 2:27 p. m.

Sacramento Order 1-F, Amendment 12, covering fresh fruits and vegetables in the Sacramento-Stockton Area, filed 2:07 p. m.

Sacramento Order 6-F, Amendment 10, covering fresh fruits and vegetables in the Sacramento District Central County Area, filed 2:15 p. m.

Sacramento Order 7-F, Amendment 10, covering fresh fruits and vegetables in the Sacramento District Northern County area, filed 2:14 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-11372; Filed, July 29, 1944;
4:24 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-7]

CITIES SERVICE POWER & LIGHT COMPANY

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of July, A. D. 1944.

The Commission having entered its order dated August 17, 1943, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 directing that Cities Service Power & Light Company and Federal Light & Traction Company, respectively, confine their operations to certain designated integrated utility systems and to take such action in a manner consistent with the provisions of the act in order to comply with such order;

Notice is hereby given that Cities Service Power & Light Company and Federal Light & Traction Company have filed an application pursuant to section 11 (c) of said act requesting that the time for compliance with said order of the Commission dated August 17, 1943 be extended for an additional year.

All interested persons are referred to said application which is on file in the office of the Commission for details concerning said application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held to consider said application;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on the 11th

day of August, 1944, at 10 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters:

1. Whether Cities Service Power & Light Company and Federal Light & Traction Company exercised due diligence to comply with the Commission's order of August 17, 1943;

2. Whether an extension of an additional year for compliance with said order of August 17, 1943 is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission, on or before August 8, 1944, his application therefor as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to Cities Service Power & Light Company and Federal Light & Traction Company, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11298; Filed, July 28, 1944;
4:49 p. m.]

[File No. 70-917]

NEW ORLEANS PUBLIC SERVICE INC. AND
ELECTRIC POWER & LIGHT CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION
AND DECLARATION.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of July, A. D., 1944.

Electric Power & Light Corporation, a registered holding company, and its subsidiary New Orleans Public Service Inc., a public utility company, having filed a joint application and declaration, with amendments thereto, under sections 6 (b), 12 (c), and 12 (d) with respect, among other things, to the issue and sale by New Orleans Public Service Inc., pursuant to the competitive bidding provisions of Rule U-50, of \$34,500,000 prin-

cipal amount of First Mortgage Bonds to mature in 1974 and of 77,798 shares of Preferred stock, \$100 par value; and

The Commission having, by order dated July 18, 1944, granted said application and permitted said declaration to become effective, except as to the price to be paid for said bonds and preferred stock, the redemption prices thereof, the interest and dividend rates thereon, respectively, the underwriters' spreads and their allocation, and all legal fees to be paid in connection with the proposed transactions, as to which matters jurisdiction was reserved; and

New Orleans Public Service Inc., having filed a further amendment to the application and declaration, in which it is stated that in accordance with the permission granted by the said order of the Commission dated July 18, 1944, it offered such bonds and preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	For the bonds		
	Price to company	Interest or dividend rate	Cost to company
Halsey, Stuart & Co.....	162.83	Percent 3 1/2	2.6823
Dillon, Read & Co.....	162.83	3 1/2	2.6931
For the preferred stock			
Dillon, Read & Co.....	163.579	4 1/2	4.5371
W. O. Langley & Co. and Glore, Fergan & Co.....	163.53	4 1/2	4.6063

The said amendment having further stated that New Orleans Public Service Inc. has accepted the bid of Halsey, Stuart & Co., for the bonds and the bid of Dillon, Read & Co. for the preferred stock, both as set out above, and that the bonds will be offered for sale to the public at a price of 103.875 resulting in an underwriters' spread of 1.066, and that the preferred stock will be offered to the public at a price of 106.5 resulting in an underwriters' spread of 2.9401.

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds and preferred stock, the redemption prices thereof, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation;

It is ordered, That the jurisdiction heretofore reserved over the prices to be paid for said bonds and preferred stock, the redemption prices thereof, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation be, and the same hereby is released and said application and declaration, be and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved over all legal fees to

be paid in connection with the proposed transactions be continued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11233; Filed, July 28, 1944;
4:49 p. m.]

[File No. 70-933]

BIRMINGHAM ELECTRIC COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of July, A. D., 1944.

Notice is hereby given that an application has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under section 6 (b) thereof and Rule U-50 thereunder by Birmingham Electric Company ("Birmingham"), a utility subsidiary of National Power & Light Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Birmingham proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, \$10,000,000 principal amount of First Mortgage Thirty-year Bonds, the bid or bids for such bonds to fix the interest rate and the price to be paid to the company. The proceeds of the sale of such bonds are to be applied, together with treasury cash, to redeem all of Birmingham's First Mortgage Bonds, 4 1/2% Series, due 1938, in the principal amount of \$10,000,000 at the redemption price of 101% of the principal amount thereof plus accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on August 11, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application should be granted. Notice is hereby given of said hearing to the applicant herein, to the Alabama Public Service Commission, and to all interested parties, said notice to be given to said applicant and said Alabama Public Service Commission by registered mail and to all other persons by publication

in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before August 9, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered; That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered; That, without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds by Birmingham is solely for the purpose of financing the business in which it is engaged.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder.

(3) Whether the fees, commissions or other remunerations to be paid in connection with the proposed issue and sale of bonds are appropriate and reasonable.

It is further ordered; That, in the interest of expeditious procedure, all evidence contained in the record of the proceeding entitled "In the Matter of National Power & Light Company and Birmingham Electric Company, File No. 54-51, Application 5," so far as relevant to the issues above stated, shall be incorporated in the record of the proceeding herein ordered and shall be regarded as evidence duly adduced in the present proceeding, subject to the same objections and exceptions preserved in the record of the proceeding in which first introduced.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11300; Filed, July 28, 1944;
4:49 p. m.]

[File No. 1-1706-1]

BATTLE CREEK AND STURGIS RAILWAY CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July A. D., 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the First Mortgage 3% Gold Bonds, due December 1, 1989, of

Battle Creek and Sturgis Railway Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered; That the matter be set down for hearing at 10:00 a. m. on Monday, August 7, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered; That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11331; Filed, July 29, 1944;
11:34 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.

NOTICE OF FILING OF AMENDMENT TO APPLICATION-DECLARATION AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July 1944.

Notice is hereby given that an amendment to an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company. All interested persons are referred to the said amendment to the application-declaration which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

Northern Indiana Public Service Company proposes to refinance its presently outstanding 220,078 shares of cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,715 shares of the 5½% series) by making an offer to the holders of such stock whereby they will be afforded the opportunity to exchange each share of presently held stock for one share of \$100 par value 5% cumulative preferred stock of the company, plus a cash payment of the difference between the redemption price of such stock and \$102, and a further adjustment for accrued dividends on the shares to be surrendered and the shares to be issued. Any shares not surrendered on exchange will be called for redemption at the re-

demption prices (\$115 per share for the 7%, \$107.50 for the 6%, and \$105 for the 5½%, cumulative preferred stock), plus accrued dividends. Such number of the 220,078 shares of the \$100 par value 5% cumulative preferred stock as have not been issued as a result of exchanges will be issued and sold either pursuant to the competitive bidding requirements of Rule U-50 or at private sale subject to the Commission's granting an exception from such requirements. The proposed exchange and redemption will, however, be consummated only if such shares of \$100 par value 5% cumulative preferred stock, if any, as have not been issued on exchanges, are actually sold by applicant-declarant not later than September 30, 1944, at not less than the minimum price of \$100 and if the initial public offering price (if there is a public offering) is not less than \$102 per share plus accrued dividends. Northern Indiana Public Service Company proposes to enter into an agreement with The First Boston Corporation providing for its services in forming and managing a group of security dealers, including itself, for the purpose of obtaining acceptances of the exchange offer. Applicant-declarant proposes that, if the exchange is consummated, The First Boston Corporation be paid a manager's fee of \$39,500, plus ten cents per share for each share exchanged, plus out-of-pocket expenses not in excess of \$5,000. In addition, if the exchange is consummated, applicant-declarant proposes to pay a dealer's commission upon a graduated scale as follows for each share exchanged: (a) \$1.00 if the aggregate number of shares so exchanged is less than 110,040, shares (50%); (b) \$1.125 if the aggregate number of shares so exchanged exceeds 110,039 but does not exceed 132,047 shares (60%); (c) \$1.25 if the aggregate number of shares so exchanged exceeds 132,047 but does not exceed 154,055 shares (70%); and (d) \$1.375 if the aggregate number of shares so exchanged exceeds 154,055 shares. Furthermore, the dealer's commission with respect to exchanges by a holder of five shares or less will be determined in accordance with a schedule which provides for graduated fees depending upon the number of shares exchanged by such holder and the aggregate number of all shares exchanged. However, no dealer's commission will be paid without the approval of applicant-declarant with respect to such shares issuable in exchange to a holder whose letter of transmittal tendering his shares for exchange fails to show the name of the dealer soliciting the exchange.

Applicant-declarant has designated sections 6 (b) and 12 (c) of the act and Rules U-42 and U-50 as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters;

It is ordered; That a hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be held on August

3, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file with the Secretary of this Commission on or before August 3, 1944, his request or an application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said amended application-declaration, particular attention will be directed at such hearing to the following matters and questions:

1. Whether, as to the issuance by means of exchanges of shares of the \$100 par value 5% cumulative preferred stock, compliance with the requirements of paragraphs (b) and (c) Rule U-50 is not necessary or appropriate under the circumstances;

2. Whether the terms and conditions of the proposed agreement with The First Boston Corporation is in the public interests and the interest of investors and consumers;

3. Generally, whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, and, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11332; Filed, July 29, 1944;
11:34 a. m.]

[File No. 1-2869]

BUNTE BROTHERS

ORDER GRANTING APPLICATION TO WITHDRAW
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July, A. D. 1944.

Bunte Brothers, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, \$10 Par Value, from listing and registration on The Chicago Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

No. 152—20

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 7, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11333; Filed, July 29, 1944;
11:34 a. m.]

[File No. 1-1174]

NORTHERN PAPER MILLS

ORDER GRANTING APPLICATION TO WITHDRAW
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July, A. D. 1944.

The Northern Paper Mills pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, from listing and registration on The Chicago Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 7, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11334; Filed, July 29, 1944;
11:34 a. m.]

LEEDY, WHEELER & CO., ORLANDO, FLORIDA

ORDER SUSPENDING REGISTERED BROKER-
DEALER FROM NATIONAL SECURITIES ASSO-
CIATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of July, A. D. 1944.

The Commission by order having instituted proceedings pursuant to section 15 (b) and section 15A (1) (2) of the Securities Exchange Act of 1934 to determine whether or not the registration of the respondent, Leedy, Wheeler & Company, as a broker-dealer should be revoked and whether or not the said Leedy, Wheeler & Company should be suspended or expelled from the National Association of Securities Dealers, Inc., a registered national securities association;

Hearings having been held after appropriate notice, and the Commission being duly advised and having this day filed its findings and opinion herein; on the basis of said findings and opinion;

It is ordered, Pursuant to section 15A (1) (2) of said act, that Leedy, Wheeler & Company be and it hereby is suspended from the National Association of Securities Dealers, Inc. for a period of ninety days, commencing ten days from the date hereof.

It is further ordered, That the proceeding with respect to said respondent under section 15 (b) of said act be and it hereby is discontinued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11335; Filed, July 29, 1944;
11:34 a. m.]

[File No. 70-785]

AMERICAN & FOREIGN POWER CO. INC. AND
ELECTRIC BOND AND SHARE CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of July, A. D. 1944.

The Commission having on January 22, 1944 entered its order in the above-entitled matter (Holding Company Act Release No. 4855), among other things permitting the declaration therein respecting the acquisition by Electric Bond and Share Company of a portion of its outstanding \$6 and \$5 preferred stocks to become effective forthwith subject to the condition, among others, that no purchases of such stocks should be made after August 2, 1944 but with the right in Electric Bond and Share Company to apply for an extension or extensions of such period; and

Electric Bond and Share Company having filed the present application stating that of the total of \$9,169,673.20 available to it for such reacquisition of its preferred stocks under the said order of January 22, 1944 it has expended the sum of \$3,143,625.72 leaving a balance available for such purpose of \$6,026,047.28 and having requested that the time within which it may expend the remainder of such funds for such purpose be extended for a further period of 5 months; and

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors that said extension of time be granted:

It is ordered, That the time within which Electric Bond and Share Company be permitted to acquire shares of its \$6 and \$5 preferred stocks in accordance with the order previously entered herein of January 22, 1944 be, and the same hereby is, extended to January 2, 1945, subject in all other respects to the same terms and conditions as were contained in the said Order of January 22, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-11332; Filed, July 31, 1944;
10:29 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval of equipment is prescribed:

DISENGAGING APPARATUS FOR LIFEBOATS

Model R-3 Rottmer Releasing Gear (Dwg. No. S82-1-39, dated June 27, 1944) (Maximum working load of 9,100 pounds per hook; 18,200 pounds per set), submitted by the Imperial Lifeboat & Davit Corp., Athens, New York.

LIFE FLOAT

60-person, rectangular balsa wood life float (Dwg. Nos. 11-1-43 and 11-1-43, Revision A, dated 1 November, 1943), submitted by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, New York.

SIGNAL PISTOL

Signal pistol (Dwg. Nos. Z-100 and Z-101), submitted by Sklar Signal Pistol Co., 1017 Market Street, San Francisco, California.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

JULY 27, 1944.

[F.R. Doc. 44-11314; Filed, July 29, 1944;
10:13 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

[1944 CCC Cottonseed Form A]

COTTONSEED AND COTTONSEED PRODUCTS

OFFER TO PROCESSORS

AUGUST 1, 1944.

In order to support prices of cottonseed in accordance with the announcement of the War Food Administration on July 20, 1944, and to promote the orderly marketing of cottonseed and the production of cottonseed oil, cottonseed meal and cake, and cotton linters for war purposes, Commodity Credit Corporation (hereinafter called "Commodity") hereby offers to purchase such cottonseed products manufactured by any processor engaged in crushing cottonseed (hereinafter called the "Processor") on the following terms and conditions:

1. *Terms of acceptance.* The Processor shall notify Commodity of his acceptance of this offer in substantially the following form on or before September 1, 1944: *Provided*, That the terms of this offer shall not be binding upon Commodity unless such notice is forwarded by telegram or by registered mail to Commodity Credit Corporation, Oilseeds Division, United States Department of Agriculture, Washington 25, D. C.:

The undersigned Processor hereby accepts your Offer to Cottonseed Processors (1944 CCC Cottonseed Form A) dated August 1, 1944, for the following plants:

(Name plants or specify all plants)

The Processor understands that, by the acceptance of such offer, he becomes obligated to pay not less than the prices specified

in the offer for cottonseed of the 1944 crop purchased during the period ending July 31, 1945, and processed at the plants named above.

If a person operates more than one cottonseed crushing plant, he may file one acceptance for those plants for which he desires to accept this offer and shall specify in the acceptance the names and locations of the plants covered by the acceptance. If he desires to accept this offer for all plants he shall so state in his acceptance. The acceptance of this offer with respect to more than one processing plant shall result in a separate contract between Commodity and the Processor with respect to cottonseed purchased for processing at, and cottonseed products manufactured at, each such plant. Commodity will acknowledge the receipt of each acceptance.

2. *Purchases of cottonseed by the processor*—(a) *Purchases on a grade basis.* All cottonseed which is purchased by the Processor on a chemical grade basis shall be graded on the basis of "United States Standard Grades," as amended July 18, 1939, in accordance with the rules, regulations, and standard methods governing the handling, sampling, and analysis of cottonseed for grading purposes established by the United States Department of Agriculture. The minimum prices to be paid by the Processor for such cottonseed f. o. b. shipping point shall be:

(1) For "basic grade" (100) cottonseed in lots of 5 tons or more:

(i) In Oklahoma, Texas (except Bowie County) and New Mexico—\$55 per ton.

(ii) In other States and Bowie County, Texas—\$56 per ton.

(2) For cottonseed grading above or below 100 in lots of 5 tons or more: the price stated in (1) plus or minus a percentage of such price equal to the percentage by which the grade of such cottonseed exceeds or is less than 100: *Provided*, That cottonseed grading "off quality" or "below grade" may be purchased by the Processor at such price as may be agreed upon by the Processor and the seller at the time of purchase.

(3) For cottonseed in lots of less than 5 tons; the prevailing price for bale lots in the locality where the cottonseed is purchased.

(b) *Purchases on a "flat" or "as is" basis.* The average price paid by the Processor for all cottonseed which is purchased by him on a "flat" or "as is" basis shall be not less than the average price which he would have paid if each lot had been purchased on a grade basis in accordance with subsection (a) of this section 2. The Processor shall keep complete books and records of analyses and of prices paid for such cottonseed, and shall, upon request in writing by Commodity, submit such information and certifications with respect thereto as commodity may request.

3. *Purchase of chemical cotton linters by Commodity.* Commodity agrees to purchase, on the following terms and conditions, such chemical cotton linters as the Processor may offer prior to August 1, 1945, to sell to Commodity in minimum carlots: *Provided*, That Commodity shall be obligated hereunder to pur-

chase only the quantity of such chemical linters that is allocated to Commodity pursuant to War Production Board General Preference Order M-12, including any amendments thereto: *Provided further*, That in any event, Commodity shall be obligated to purchase 65 percent of the Processor's production of linters during any portion of the period from August 1, 1944, to August 31, 1945, inclusive, if such linters are offered to Commodity prior to August 1, 1945, in minimum carlots.

Commodity may reduce the quantity of linters which it is otherwise obligated to purchase hereunder by such quantity of linters as Commodity determines to have been purchased and paid for by it in excess of the quantity Commodity was obligated to purchase from the Processor under this offer or 1943 CCC Cottonseed Form A, revised.

(a) *Price, f. o. b. carrier at shipping point*—(1) *Base price for chemical cotton linters.* \$3.80 per 100 pounds gross weight for linters with a 73% cellulose yield, calculated on actual moisture basis, or, if the above base maximum price is increased by the Office of Price Administration, the base maximum price in effect at the time of purchase.

(2) *Premiums.* \$0.009 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield above 73 percent.

(3) *Discounts.* \$0.009 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield below 73 percent down to and including 70 percent, and \$0.016 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield below 70 percent.

(b) *Bagging.* Bales shall be well covered with close woven bagging. Sisal or paper covering will not be acceptable. Total tare shall not exceed 5 percent.

(c) *Quality.* Linters shall be clean, undamaged, free of excessive hull pepper, shale, and trash and shall not contain motes, sweepings, or any other foreign material and shall be suitable for chemical use as determined by Commodity or the consignee. Linters shall be subject to consignee's inspection and acceptance at the Processor's mill. ("Consignee", as used in this Section 3, means the Bleachery or other person designated by Commodity to inspect and accept delivery of the linters.) The Processor shall give consignee written notice when linters are ready for inspection, and consignee shall have a reasonable length of time in which to make such inspection and tag the bales. Immediately upon consignee's request, the Processor shall, at his expense, make the bales accessible so that each bale can be sampled, inspected, and tagged by consignee's inspector. The Processor shall make linters available for inspection in lots of at least 200 bales, unless a smaller number of bales are necessary to complete delivery under any particular shipping order or at the end of the season. Commodity shall not be obligated to purchase any linters until such linters have been inspected and accepted by the consignee. All linters shall be inspected by the consignee on or before August 31, 1945.

(d) *Cellulose yield.* Cellulose yield, calculated on actual moisture content, shall be determined upon the basis of samples drawn from bales as unloaded at consignee's plant or storage warehouse and tests run in the consignee's laboratory by a method approved by The American Oil Chemists Society. However, an approved Referee Chemist's analysis of cellulose yield calculated on actual moisture content will be acceptable to Commodity for purposes of settlement under this contract, provided the Processor arranges and pays for such analysis, without expense or delay in unloading to consignee, from samples drawn at the same time consignee draws its sample at unloading point.

(e) *Weight.* Where the consignee is a Bleachery or Public Warehouse, the destination weight before compression shall govern. Where the consignee is other than a Bleachery or Public Warehouse, the consignee shall be instructed by Commodity to notify the Processor by telegram if the destination weight is more than 1 percent below the weight as billed by the Processor, and the Processor shall have the option, if he notifies the consignee by telegram within 24 hours of the receipt of such notice, to have the shipment reweighed by an official weighmaster at the Processor's expense or to have the shipment reweighed by the consignee in the presence of a representative of the Processor, provided such representative arrives at the destination point within 72 hours after the receipt of such notice by the Processor.

(f) *Loading.* All cars shall be loaded to protect minimum freight rate. All cars shall be carefully swept and cleaned before loading. All linters shall be in such condition that common carrier will accept them for transportation to consignee's plant without any charges or expense other than freight. Such linters, when loaded, shall be in good condition, dry, and free from weather or other damage.

(g) *Shipment.* Shipments shall be made promptly after inspection and acceptance by consignee, subject to availability of storage space at consignee's plant or storage warehouse.

(h) *Shipping documents.* At the time of shipment, invoice (in quadruplicate), with original bill of lading and weight sheet attached, shall be mailed to the consignee. All shipments of any one day shall be included in a single invoice.

(i) *Payment and storage.* (1) Payment of the base price specified in subsection (a) of this section 3 shall be made by Commodity with respect to linters, other than linters stored as provided in (2) of this subsection, upon the receipt by Commodity from the consignee of approved shipping documents and such certifications as Commodity may prescribe and upon the basis of the weight shown in the invoice. Title and risk of loss or damage to such linters shall pass to Commodity upon issuance of a bill of lading or shipping receipt by a contract carrier. Final settlement for such linters shall be made after the receipt by Commodity from the consignee of the cellulose yield analysis and the certi-

fied destination out-turn weight of the linters.

(2) In the event the consignee is unable to accept linters for shipment promptly after inspection and acceptance at the Processor's plant, the Processor shall store such linters at his own expense in such manner that the linters are adequately protected against damage. Commodity shall advance to the Processor against the purchase price of such linters an amount equal to the base price specified in subsection (a) hereof, upon the receipt from the Processor of storage receipts, in form satisfactory to Commodity; an invoice showing the base price for such linters and approved by the consignee; and such certifications as Commodity may prescribe. Title to such linters shall pass to Commodity upon receipt of such documents. The Processor, however, shall be responsible, and shall reimburse Commodity, for any loss of or damage to such linters while so stored resulting from any cause whatsoever, and shall maintain insurance thereon, sufficient to protect Commodity's interest therein against risk of loss or damage by fire, lightning, windstorm, tornado, and other risks normally insured against by the Processor. The Processor shall furnish Commodity certificates of indorsement from insurance companies, acceptable to Commodity, showing Commodity to be fully covered for the maximum duration of storage of such linters. The consignee or Commodity shall send shipping instructions on or before September 1, 1945, for all linters so stored. Final settlement for such linters shall be made after the receipt by Commodity from the consignee of approved shipping documents, together with the cellulose yield analysis and the certified destination out-turn weight of the linters.

4. *Purchases of crude cottonseed oil by Commodity.* Commodity agrees to purchase, on the following terms and conditions, crude cottonseed oil which the Processor offers, prior to August 1, 1945, to sell to Commodity:

(a) *Base price.* $\frac{1}{8}$ cent per pound below the applicable base maximum prices established by the Office of Price Administration, loaded in tank cars, f. o. b. Processor's plant, and in effect August 1, 1944.

(b) *Base grade.* "Basis prime crude cottonseed oil" as defined in the rules of the National Cottonseed Products Association in effect at the time of delivery.

(c) *Quality settlement basis.* The base price shall be adjusted for variance in quality in accordance with the provisions of the rules of the National Cottonseed Products Association in effect at the time of delivery.

(d) *Passage of title.* Title and risk of loss or damage to the oil shall pass to Commodity upon payment by Commodity to the Processor of the purchase price.

(e) *Storage and care.* Oil purchased by Commodity shall, without cost to Commodity, be stored by the Processor to the extent of available facilities at the plant until arrangements are made by Commodity for moving the oil. The Processor shall notify Commodity of any condition which may result in quality de-

terioration: *Provided*, That prime or basis prime, and offgrade crude cottonseed oil as defined in the rules of the National Cottonseed Products Association shall not be stored in the same storage tank.

(f) *Delivery.* Oil purchased by Commodity shall be shipped by the Processor in accordance with Commodity's instructions: *Provided*, That instructions for the prompt shipment of all such oil shall be given on or before September 1, 1945.

(g) *Payment of purchase price.* Payment of the purchase price shall, subject to the adjustment specified in subsection (h) of this section, be made upon the presentation to and approval by Commodity of:

(1) An invoice, in duplicate, showing the quantity and quality of the oil and the price thereof.

(2) Either (i) storage receipts, in form satisfactory to Commodity, representing the oil and identifying it by tank number or otherwise, each receipt representing not less than one or more than five tank car units of 60,000 pounds each or, (ii) if Commodity has furnished shipping instructions, straight bills of lading showing the oil has been shipped in accordance with Commodity's instructions, accompanied by official weight certificates: *Provided*, That one clean-up tank car of less than 60,000 pounds will be accepted by Commodity from the Processor if such Processor protects the carload freight rate.

(3) If the oil is stored by the Processor, a certificate of sampling and analysis issued by a chemist who has been certified by the National Cottonseed Products Association and approved by Commodity, such certificate to be obtained at the Processor's expense and to be identified with oil represented by a particular storage certificate.

(4) Such other certifications as Commodity may prescribe.

(h) *Final settlement.* Final settlement shall be made for each tank car of oil upon arrival at the destination specified by Commodity upon the basis of:

(1) *Weight.* The out-turn weight of the oil at destination as certified on consignee's sworn weight certifications;

(2) *Analysis.* If the oil is not stored by the Processor, the final settlement analysis as agreed upon between the consignee and the Processor.

5. *Purchase of cottonseed meal and cake by Commodity.* Commodity agrees to purchase, on the following terms and conditions, prime quality bulk cottonseed meal of 41 percent minimum protein content which the Processor offers, prior to August 1, 1945 to sell to Commodity in minimum car lots:

(a) *Price.*

Location of Processor's plant	Purchase price per ton bulk basis, f. o. b. cars at Processor's plant location
Louisiana, Mississippi, Arkansas, Tennessee, Missouri, Illinois, and Bowie County, Texas.....	\$43
North Carolina, South Carolina, Georgia, Alabama, and Florida.....	44
Texas (except Bowie County), Oklahoma, New Mexico, Arizona, and California....	45

Upon request by Commodity, the Processor shall supply sacked meal or, if available, sized cake in bags or loose slab cake of 41 percent minimum protein content, at the price differentials allowed in applicable regulations issued by the Office of Price Administration.

(b) *Quality.* Prime quality, as defined in the rules of the National Cottonseed Products Association in effect at the time of delivery, of not less than 41 percent protein content.

(c) *Passage of title.* Title and risk of loss or damage to the cake and meal shall pass to Commodity upon the payment by Commodity to the Processor of the purchase price.

(d) *Storage and care.* Cake and meal purchased by Commodity shall, without cost to Commodity, be stored by the Processor to the extent that the Processor's usual plant storage capacity for cake and meal will permit. In the event the Processor's usual plant storage capacity will not permit the storage of cake or meal offered to Commodity hereunder, the Processor shall, before selling such cake or meal to Commodity, arrange for other storage on terms and conditions satisfactory to Commodity. All warehouse charges in storage other than plant storage shall be paid by Commodity. The Processor shall not be liable for loss in quality not due to his fault or negligence after passage of title. The Processor shall notify Commodity of any conditions which may result in loss of quality.

(e) *Payment.* Payment of the purchase price shall be made upon the presentation to and approval by Commodity of:

(1) An invoice, in duplicate, showing the quantity and quality of cake or meal and the price thereof;

(2) Storage receipts, in form satisfactory to Commodity, representing the cake or meal and identifying it in place of storage, or, if Commodity has furnished shipping instructions, bills of lading, showing the meal or cake has been shipped in accordance with Commodity's instructions, accompanied by certified weights;

(3) A certificate of sampling and analysis issued by a chemist who has been certified by the National Cottonseed Products Association, and approved by Commodity, such certificate to be obtained at the Processor's expense and to be identified with cake or meal represented by a particular storage receipt or bill of lading;

(4) Such other certifications as Commodity may prescribe.

(f) *Weight adjustment.* If the cake or meal is stored, payment will be made on the basis of the weight shown on the storage receipts representing the cake or meal. However, if the certified weight of the cake or meal at the point of destination differs from the weight shown on such storage receipts, an adjustment of the amount paid by Commodity shall be made, based upon such difference in weight.

(g) *Loading out.* Upon receipt of shipping instructions from Commodity, the Processor shall, without cost to Commodity, load out from his plant or plant

storage and place on carrier, in accordance with such instructions, any such cake and meal ordered loaded out by Commodity. Instructions for the prompt shipment of all such cake and meal shall be given on or before September 1, 1945.

6. *Segregation of stored products.* All cottonseed products which the Processor holds for the account of Commodity shall be segregated from any other cottonseed products, and the buildings, tanks, piles, bins, or other units in which such products are stored shall be marked in conspicuous places with appropriate signs and in such manner as will give public notice of Commodity's ownership of such products.

7. *Carrier and routing.* The Processor may select the originating carrier on shipments of cottonseed products but the lowest available transportation rate between the point of shipment and the point of destination named in Commodity's instructions shall not be exceeded and the routing and loading shall be in compliance with applicable regulations: *Provided,* That all shipments of cotton linters shall be made to Commodity at the point designated by the consignee on open bills of lading or contract carrier receipts, freight collect, and on consignee's routing, which shall not be altered without consignee's consent.

8. *Bond.* Upon Commodity's request, the Processor shall furnish to Commodity a bond conditioned upon the faithful performance by the Processor of his obligations hereunder with respect to the storage and delivery of cottonseed products held by him for the account of Commodity. Such bond shall be in such form, and in such amount, and with such sureties, as Commodity may prescribe.

9. *Movement of linters, oil, cake and meal.* Notwithstanding any provisions of sections 3, 4, and 5 hereof, Commodity shall not be responsible for any loss or injury caused the Processor by failure of Commodity or its consignees to move cottonseed products due to the unavailability of transportation or storage facilities, or due to any other cause beyond the control of Commodity or its consignees. Commodity shall not be responsible, except as is otherwise expressly provided herein, or except as such transportation or handling is requested by Commodity, for any cost in connection with the transportation or other handling of any cottonseed product held by the Processor for the account of Commodity.

10. *Liability limitations.* The Processor shall not be liable for any loss of or damage to any cottonseed oil, meal, or cake owned by Commodity unless such loss or damage is due to the fault or negligence of the Processor. Neither Commodity nor the Processor shall be liable for any failure to comply with this contract which results directly or indirectly from compliance with any regulations or orders issued pursuant to the authority contained in Title III of the Second War Powers Act, 1942, the Emergency Price Control Act of 1942, as amended, or any other statute, or Executive order.

11. *Books and records.* The Processor shall keep complete and accurate books, records, and accounts with respect to all purchases of cottonseed and all other transactions hereunder, and shall furnish Commodity such information and reports as Commodity may from time to time request. Commodity may at any time examine and audit the books, records, and accounts of the Processor insofar as they relate to any contract resulting from the Processor's acceptance of this offer.

12. *Termination of contract.* Any contract resulting from the Processor's acceptance of this offer may be terminated at any time by Commodity or the Processor, upon written notice to the other party, as to cottonseed purchased by the Processor after such termination and cottonseed products manufactured therefrom. Notwithstanding such termination, such contract shall continue in full force and effect with respect to cottonseed products which are manufactured by the Processor from cottonseed purchased by the Processor prior to such termination and offered to Commodity pursuant to sections 3, 4 and 5 hereof. Nothing contained in this section shall be construed to prevent the termination by Commodity of any such contract at any time for violation of any of the provisions thereof.

13. *Definitions.* As used in this contract:

(a) "Cottonseed" means cottonseed of the 1944 crop produced in the continental United States and purchased by the Processor during the period ending July 31, 1945.

(b) "Cotton linters" or "linters," "cottonseed oil" and "cottonseed meal and cake" means the linters, oil, and meal and cake, respectively, manufactured from cottonseed by the Processor during the period ending August 31, 1945.

(c) "Cottonseed products" means cotton linters, cottonseed oil, and cottonseed meal and cake.

NOTE: All reporting and record-keeping requirements of this offer have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[SEAL]

COMMODITY CREDIT CORPORATION,
By J. B. HUTSON,
President.

Attest:

NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 44-11364; Filed, July 29, 1944;
3:24 p. m.]

WAR PRODUCTION BOARD.

BEN F. HUTCHINS
CONSENT ORDER

Ben F. Hutchins of Lawton, Oklahoma, is charged by the War Production Board with having begun the construction of an amusement park and related structures, the estimated cost of which was

in excess of \$75,000 at Lawton, Oklahoma, without securing approval from the War Production Board in wilful violation of Conservation Order L-41 and Supplementary Conservation Order L-41-a. Ben F. Hutchins admits having started the construction. He neither admits nor denies, but does not desire to contest the charge that the violation was wilful, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Ben F. Hutchins, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Ben F. Hutchins, his successors or assigns, nor any other person, shall do any construction on the property described as Blocks 5, 6, 7, 8, 17 and 18 in Radio City Park Addition, Lawton, Oklahoma, unless heretofore or hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Ben F. Hutchins, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11296; Filed, July 28, 1944;
4:38 p. m.]

WAR SHIPPING ADMINISTRATION.

"TEXAS No. 10"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel "Texas No. 10" (237540), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery

of such vessel pursuant to title requisition except with the consent of the owner. . . . and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-11304; Filed, July 29, 1944;
9:59 a. m.]

"TEXAS No. 12"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel "Texas No. 12" (237985), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. . . . and

and

Whereas no portion of just compensation for the said vessel has been paid

or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-11305; Filed, July 29, 1944;
9:59 a. m.]

"TEXAS No. 14"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel "Texas No. 14," (233023), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. . . . and

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-11306; Filed, July 29, 1944;
9:59 a. m.]

“TEXAS NO. 15”

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section

3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel “Texas No. 15,” (238029), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Providing, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-11307; Filed, July 29, 1944;
9:59 a. m.]